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Philip J. Kain

*Santa Clara University*, [pkain@scu.edu](mailto:pkain@scu.edu)

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### Recommended Citation

Kain, P. J. "Hegel's Critique of Kantian Practical Reason," *Canadian Journal of Philosophy*, 28 (1998): 367-412.

This is the peer reviewed version of the following article: Kain, P. J. "Hegel's Critique of Kantian Practical Reason," *Canadian Journal of Philosophy*, 28 (1998): 367-412, which has been published in final form at <http://dx.doi.org/10.1080/00455091.1998.10715978>.

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# Hegel's Critique of Kantian Practical Reason

PHILIP J. KAIN

Santa Clara University

Santa Clara, CA 95053

USA

While many philosophers have found Hegel's critique of Kantian ethics to be interesting in certain respects, overall most tend to find it rather shallow and to think that Hegel either misunderstands Kant's thought or has a rather crude understanding of it. For example, in examining the last two sections of Chapter V of the *Phenomenology*—"Reason as Lawgiver" and "Reason as Testing Laws" (where we get an extended critique of the categorical imperative)—Lauer finds Hegel's treatment to be truncated and inadequate.<sup>1</sup> The only trouble,

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<sup>1</sup> **Notes**

though, is that like most other readers of the *Phenomenology*, Lauer does not recognize that Hegel had been examining and criticizing Kantian ethics throughout a much greater part of—indeed, more than half of—Chapter V. Once we do understand this, I think we must concede that Hegel's treatment is hardly truncated and that it cannot be described as shallow or inadequate. I will try to show that Hegel demonstrates a rather sophisticated understanding of, and gives a serious and thorough critique of, Kantian practical reason.

A good part of the problem here is due to Hegel's own obscurity. The *Phenomenology* is filled with veiled allusions to other texts. Lauer thinks we should be slow in concluding just what texts Hegel is actually referring to. He suggests that Hegel may not have been sure himself or that he wanted to refer to an amalgam of positions.<sup>2</sup> This point is well taken. Hegel's allusions are not specific and precise. They are general, open, even symbolic—as if they were trying to refer to as much as possible. Thus, I very definitely do not want to imply that Hegel was significantly influenced by and alludes to Kant *and not other philosophers*. Nor do I want to suggest that by establishing a connection to Kant we will be able to explain *everything* that is going on in Hegel's text. Nevertheless, I do think that to understand Hegel we simply must begin

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Q. Lauer, S.J., *A Reading of Hegel's Phenomenology of Spirit* (New York: Fordham University Press, 1976), 172.

<sup>2</sup> Lauer, 42. See also, R.B. Pippin, *Hegel's Idealism: The Satisfactions of Self-Consciousness* (Cambridge: Cambridge University Press, 1989), 118. Also, M.S. Gram, "Moral and Literary Ideals in Hegel's Critique of 'The Moral View of the World,'" *CLIO*, 7 (1978), 376.

to understand who and what he is alluding to. I want to try to show that among all the other things that Hegel is doing in Chapter V he is criticizing Kant's ethics and that only when we see this will Hegel's thought start to come into focus, become clear and philosophically interesting, and provide us with a serious critique of Kantian ethical theory.

## I

Hegel wants to claim that Kant's account of morality is inadequate and that to give an adequate account we must move to *Sittlichkeit*. In the section entitled "The Actualization of Rational Self-Consciousness Through Its Own Activity," Hegel begins to explain his concept of *Sittlichkeit*. Reason, Hegel claims, is actualized only in a free nation.<sup>3</sup> Only there can we find reason objectively realized in the customs, traditions, practices, laws, and institutions of a people. The citizens pursue their purposes, objectify themselves in their institutions, and see themselves in their world. They create a common public life which is the outcome of the activity of the individual citizens, yet is objective and substantial—it is a force that develops, sustains, and morally empowers its citizens.<sup>4</sup>

This common public life first appears in history in the Greek *polis*. The *polis* is the construction of its citizens. It exists through their work, recognition, and sacrifice. It establishes a common life that is objectively rooted in social and public institutions; public values, traditions,

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<sup>3</sup> *Phenomenology of Spirit* (hereafter *PhS*), trans. A.V. Miller (Oxford: Clarendon Press, 1977), 214 and, for the German, *Gesammelte Werke* (hereafter *GW*), ed. Rheinisch-Westfälischen Akademie der Wissenschaften (Hamburg: Felix Meiner, 1968 ff.), IX, 195.

<sup>4</sup> *PhS*, 211-13 and *GW*, IX, 193-94.

and laws; a whole philosophy, religion, and art. Citizens are willing to serve and to sacrifice for this objective reality, a reality which then motivates them, becomes their mission and purpose, and forms and empowers them as a people. Moreover, this objective sociocultural world is not other, alien, or heteronomous. The citizens are not unfree. They see themselves in a world they have constructed; they find this world to be their own; and they are at one with it. They find reason in their world and are free.

*Sittlichkeit* is different from *Moralität*. *Moralität* begins with Socrates and reaches its high point in Kant. *Moralität* is individual, rational, and reflective morality. It is based upon individual autonomy and personal conviction. One must rationally decide what is moral and do it *because* it is moral—because our rationality tells us that it is the right thing to do. This rational and reflective component is relatively absent in traditional *Sittlichkeit*, which is best represented, for Hegel, in the Greek *polis* before the rise of Socratic *Moralität*. *Sittlichkeit* is ethical behavior grounded in custom and tradition and developed through habit and imitation in accordance with the laws and practices of the community. Personal reflection and analysis have little to do with traditional *Sittlichkeit*. *Sittlichkeit* is ethical life built into one's character, attitudes, and feelings.

Furthermore, *Moralität* involves an ought. It is morality that ought to be realized. This ought is also absent from *Sittlichkeit*. For it, morality is not something we merely *ought* to realize or *ought* to be. Morality exists—it *is*. It is already embedded in our customs, traditions, practices, character, attitudes, and feelings. The objective ethical order already exists in, is continuously practiced by, is actualized in, the citizen.

The only sort of morality that Hegel discusses and critiques in the remainder of Chapter V is *Moralität*—individual, rational, reflective morality with individual subjectivity as the source of moral determination. In Chapter VI, culture will involve *Sittlichkeit*—ethical life, morality built upon custom, tradition, and habit—the morality of a people with moral content given in their traditions, institutions, and practices, not the abstract and formal *Moralität* of Kant.

In one sense *Sittlichkeit* is superior to *Moralität*. It has a rich content—it is objective, public, and lived. Whereas *Moralität* is formal and abstract. But in another sense traditional *Sittlichkeit* is inferior to *Moralität*. Traditional *Sittlichkeit's* laws are immediate; they are given as absolutes by tradition, the gods, custom. In contrast to *Moralität*, the role of subjectivity and reflection is minimal and individual freedom is undeveloped.

What Hegel wants for the modern world is neither traditional *Sittlichkeit* nor modern *Moralität*. He wants a synthesis of *Sittlichkeit* and *Moralität*, which though at times confusing he also calls *Sittlichkeit*. This higher *Sittlichkeit*, which Hegel lays out in detail only in the *Philosophy of Right*, combines the rational and reflective side of *Moralität* with the transcendence of the ought characteristic of *Sittlichkeit*. It is rational reflective morality that actually exists as concretely embedded in the customs, traditions, laws, character, practices, and feelings of a people.<sup>5</sup>

I hope to show that Hegel's entire treatment of practical reason in Chapter V of the *Phenomenology* is intended as a critique of Kantian *Moralität*. To my knowledge this has not been recognized by other commentators. The aim of this critique is to drive us toward *Sittlichkeit*. Let me try to make the case.

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<sup>5</sup> *PhS*, 216 and *GW*, IX, 197.

## II

The first consciousness we meet, in the section entitled "Pleasure and Necessity," is a hedonistic consciousness. It pursues pleasure. "It plunges ... into life and indulges to the full.... It does not so much make its own happiness as straightway take it and enjoy it.... It takes hold of life much as a ripe fruit is plucked, which readily offers itself to the hand that takes it."<sup>6</sup> What, one might ask, has this to do with Kantian ethics? Hegel will not accept the Kantian distinction between phenomena and noumena nor the existence of an unknown thing-in-itself.<sup>7</sup> It follows from this, then, that we are not going to be easily able to maintain a neat Kantian distinction between a pure autonomous reason, on the one hand, and, on the other, pathological inclinations, interests, or desires. Hegel starts with pleasure because he is not about to let Kant banish it from the pure realm of reason and morality into some pathological and heteronomous outside.<sup>8</sup>

It cannot be denied that Kant at times does present a rather crude picture of duty and inclination as if they were necessarily opposed and such that moral action must be done, as he

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<sup>6</sup> *PhS*, 218 and *GW*, IX, 199.

<sup>7</sup> *The Logic of Hegel* (hereafter *L*), trans. W. Wallace (Oxford: Oxford University Press, 1968), 91-92 and, for the German, *Sämtliche Werke* (hereafter *SW*), ed. H. Glockner (Stuttgart: Frommann, 1927 ff.), VIII, 133. *PhS*, 103 and *GW*, IX, 102.

<sup>8</sup> *Foundations of the Metaphysics of Morals* (hereafter *F*), trans. L.W. Beck (Indianapolis: Bobbs-Merrill, 1959), 59-60 and, for the German, *Kant's gesammelte Schriften* (hereafter *KGS*), ed. Königlich Preussischen Akademie der Wissenschaften (Berlin: Georg Reimer, 1910 ff.), IV, 440-41.

says in the *Foundations*, "only from duty and without any inclination ..."<sup>9</sup> But it is not only such views that Hegel is attacking. Hegel is well aware that Kant's considered view is not that duty and inclination are mutually exclusive and need be opposed. He is quite well aware that for Kant the perfect agreement of duty and inclination is an "ideal of holiness ... which we should strive to approach ... in an uninterrupted infinite progress" and that such holiness is even "the supreme condition of the highest good."<sup>10</sup> Indeed, Hegel will discuss this very ideal at length not only in "The Moral View of the World" at the end of Chapter VI, but as I shall argue shortly also in the section that immediately follows "Pleasure and Necessity," namely, in "The Law of the Heart." At any rate, Hegel does not find acceptable even Kant's considered view. Kant's considered view is that a moral act need not be free of inclination—perhaps it is even the case that it can never be—but still it must not be determined by inclination. Even when duty and inclination accord, the act must be done from duty, not from inclination.<sup>11</sup> In Hegel's view, Kant

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<sup>9</sup> *F*, 14, also 46 and *KGS*, IV, 398, 428.

<sup>10</sup> *Critique of Practical Reason* (hereafter *CPrR*), trans. L.W. Beck (Indianapolis: Bobbs-Merrill, 1956), 86, 126 and *KGS*, V, 83-84, 122.

<sup>11</sup> *CPrR*, 86 and *KGS*, V, 83-84. *Metaphysical Principles of Virtue: Part II of the Metaphysics of Morals* (hereafter *MPV*), trans. J. Ellington (Indianapolis: Bobbs-Merrill, 1964), 12 and *KGS*, VI, 213-14. Also, see H.E. Allison, *Kant's Theory of Freedom* (Cambridge: Cambridge University Press, 1990), 39-40, 97, 102, 110-11. Also, A.W. Wood, *Hegel's Ethical Thought* (Cambridge: Cambridge University Press, 1990), 146-48. K.R. Westphal, "Hegel's Critique of Kant's Moral View of the World," *Philosophical Topics*, 19 (1991), 150. B. Herman, *The Practice of Moral Judgment* (Cambridge, MA: Harvard University Press, 1993), 12.



does not give enough place to inclination. A general theme of the whole remainder of Chapter V, I shall argue, is that inclination, interest, love, or desire are far more able to produce morality, and that Kantian practical reason is far less able to produce morality, than Kant thinks is the case.

Thus, it seems to me that Lauer radically misunderstands “Pleasure and Necessity” in taking it to be a traditional attack on pleasure as self-defeating.<sup>12</sup> It is not that at all, but the very opposite—a defense. Hegel alludes to the Faust story and claims that the pleasure-seeking of this consciousness does not want to destroy the other, but only its otherness.<sup>13</sup> In other words, Hegel is talking about love. In the *Philosophy of Right*, Hegel says,

Love means in general terms the consciousness of my unity with another, so that I am not in selfish isolation but win my self-consciousness only as the renunciation of my independence and through knowing myself as the unity of myself with another and of the other with me.... The first moment in love is that I do not wish to be a self-subsistent and independent person and that, if I were, then I would feel defective and incomplete. The second moment is that I find myself in another person, that I count for something in the other, while the other in turn comes to count for something in me.... love is unity of an ethical type.<sup>14</sup>

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<sup>12</sup> Lauer, 157.

<sup>13</sup> *PhS*, 218 and *GW*, IX, 199.

<sup>14</sup> *Hegel's Philosophy of Right* (hereafter *PR*), trans. T.M. Knox (Oxford: Clarendon Press, 1967), 261-62 and *SW*, VII, 237-38.

In "Pleasure and Necessity," Hegel contrasts the ethical unity involved in love to whatever it is that makes individuals separate. In a very obscure passage, he says, "But here this element which gives to both a separate actuality is rather the category, a being which is essentially in the form of *thought*. It is therefore the *consciousness* of independence—let it be natural consciousness, or consciousness developed into a system of laws—which preserves the individuals each for himself."<sup>15</sup> If this passage is not intended to refer explicitly to the Kantian categorical imperative, it is at least the case that the categorical imperative is one example of what Hegel is talking about. Kantian practical reason certainly grounds the separateness and independence of the individual. It roots the individual in a transcendental sphere apart and makes the individual the source of all law—even a system of laws. Each individual is taken to be a supreme lawgiver out of which can arise a kingdom of ends. Kant says,

By a "kingdom" I understand the union of different rational beings in a system by common laws. Now since it is by laws that ends are determined as regards their universal validity, hence, if we abstract from the personal differences of rational beings, and likewise from all the content of their private ends, we shall be able to conceive all ends combined in a systematic whole ...<sup>16</sup>

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<sup>15</sup> *PhS*, 218 (italics in text) and *GW*, IX, 199.

<sup>16</sup> Here I prefer the Abbott translation, see *Fundamental Principles of the Metaphysic of Morals*, trans. T.K. Abbott (Indianapolis: Bobbs-Merrill, 1949), 50 and *KGS*, IV, 433; for the Beck translation, see *F*, 51.

For Kant, to achieve the universal, to produce a kingdom of ends, to live in ethical unity with others under a system of laws, we must abstract from the personal interests and private ends of human beings; we must withdraw into the individuality and apartness of practical reason. Are we really going to find unity with others in this way? We would seem to be moving away from unity toward the separate, individual, and isolated.

Hegel is suggesting that Kantian practical reason is less likely to be successful in producing the ethical union it seeks and more likely to produce separateness and isolation than is love, which indeed has already achieved, Hegel says, the "*unity* of itself and the other self-consciousness"—it has already achieved the *universal*.<sup>17</sup> Love's unity with the other self-consciousness is certainly a movement away from individual isolation toward the universal, and if love expands, pushes toward an even larger unity with others in a kingdom of ends (as we shall see that it *does* in "The Law of the Heart"), it will move further toward the universal. What Hegel is trying to suggest here is that there is good reason to think that love might tend more effectively toward unity, the overcoming of separateness, the universal, the moral, than does Kantian practical reason.

When Kant discusses love in the *Foundations*, the *Critique of Practical Reason*, and the *Metaphysical Principles of Virtue*, he insists that love as an inclination cannot be commanded as a duty. We cannot have a duty to do something gladly. Thus, for example, when Scripture

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<sup>17</sup> *PhS*, 218 (italics in text) and *GW*, IX, 199.

commands us to love our neighbor or our enemy, in Kant's view it cannot mean to command love as an inclination, but simply beneficence from duty—not pathological love, but practical love.<sup>18</sup>

It is quite clear to any sensible reader, however, that the ideal of the Gospels is not beneficence from duty, but precisely love as an inclination. In the *Spirit of Christianity*, Hegel attacks Kant's distortion of the Gospels and his reduction of love to moral duty.<sup>19</sup> In love, for Hegel, all thought of duty vanishes. Love is higher than law and makes obedience to law superfluous. Inclination is unified with the law and love fulfills the law in such a way that law is annulled as law. Love transcends all cleavage between duty and inclination.<sup>20</sup>

Hegel goes on to argue that love so transcends the law that the Gospels even suggest that we do not want to be conscious of any action as a duty because that would mean the "intrusion of something alien, resulting in the impurity of the action ..."<sup>21</sup> It is not, as for Kant, inclination that introduces impurity.<sup>22</sup> Duty introduces the impurity. A charitable action done out of love could be spoiled if one started to think of it as a duty. But Hegel goes even further than this.

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<sup>18</sup> *F*, 15-16 and *KGS*, IV, 399. *CPrR*, 86 and *KGS*, V, 83. *MPV*, 60-61, 70, 113-14 and *KGS*, VI, 401-2, 410, 449-50. Indeed, Kant even counsels "moral apathy," a lack of emotion, which, however, is to be distinguished from indifference; *MPV*, 68 and *KGS*, VI, 408.

<sup>19</sup> *Spirit of Christianity and Its Fate*, in *On Christianity: Early Theological Writings*, trans. T.M. Knox (Gloucester, MA: Peter Smith, 1970), 205-24 and, for the German, *Hegels theologische Jugendschriften* (hereafter *HTJ*), ed. H. Nohl (Frankfurt am Main: Minerva, 1966), 261-75.

<sup>20</sup> *Spirit of Christianity*, 212-14 and *HTJ*, 266-68.

<sup>21</sup> *Spirit of Christianity*, 219, also see 220 and *HTJ*, 272, 273.

<sup>22</sup> *MPV*, 12 and *KGS*, VI, 213.

Since duty and inclination have been unified and all opposition overcome, he says, the law can "be taken up (*aufgenommen*) into love."<sup>23</sup> Very interestingly, this can be seen as exactly the reverse of what Allison calls Kant's incorporation thesis. In *Religion Within the Limits of Reason Alone*, Kant writes,

freedom of the will (*Willkür*) is of a wholly unique nature in that an incentive can determine the will (*Willkür*) to an action *only so far as the individual has incorporated (aufgenommen) it into his maxim* (has made it the general rule in accordance with which he will conduct himself); only thus can an incentive, whatever it may be, co-exist with the absolute spontaneity of the will (*Willkür*) (*i.e., freedom*).<sup>24</sup>

Thus, for Kant, love may determine our will in a moral act, but only insofar as it is incorporated into a maxim, that is, only insofar as it becomes beneficence from duty or practical love. Whereas Hegel's view seems to be that in the ideal case duty could determine our will but only insofar as it had been taken up into love.

I find Hegel's view much more acceptable than Kant's, but, whatever one decides on this issue, it is quite clear that Hegel is not, as Ameriks and Allison seem to suggest he is, merely

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<sup>23</sup> *Spirit of Christianity*, 225 and *HTJ*, 277.

<sup>24</sup> *Religion Within the Limits of Reason Alone* (hereafter *RWLRA*), trans. T.M. Greene and H.H. Hudson (New York: Harper & Row, 1960), 19 (last italics in the text) and, for the German, *KGS*, VI, 23-24. Allison 39-40.

attacking a crudely understood notion of the opposition of duty to inclination.<sup>25</sup> Hegel is taking on Kant's subtlest and most considered views and attempting to show that, even so, duty involves an abstract and alien distance that falls short of the ethical union achievable by love.

Nevertheless, I definitely do not want to suggest that in the *Phenomenology* Hegel is simply holding, as he may have been at moments in the *Spirit of Christianity*, that love is moral and that Kantian practical reason is not. Hegel goes on to recognize (again with Faust, Faust's love for Gretchen, and her death in mind) that the life of pleasure is a life of necessity, fate, destiny—even of death and destruction. Here Hegel might seem to have fallen back into the crude view that inclination and desire are simply opposed to the moral—and are heteronomous, determined, part of a realm of causal necessity, and so forth.

But Hegel is much more careful than this. We must attend more closely to the way in which he understands fate. He says, "necessity, fate, and the like, is just that about which we cannot say *what* it does, what its specific laws and positive content are, because it is ... a *relation* that is simple and empty, but also irresistible and imperturbable, whose work is merely the nothingness of individuality."<sup>26</sup> Fate is not to be identified with ordinary causal determinism. Fate is more like chance. It is certainly nothing that a scientist can predict ahead of time—because we cannot say what the laws are. Yet a life at the mercy of chance can certainly be experienced as a cruel fate. Chance is not at all like the regular and predictable causal determinism to be expected in

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<sup>25</sup> K. Ameriks, "The Hegelian Critique of Kantian Morality," in *New Essays on Kant*, ed. B. den Ouden and M. Moen (New York: Peter Lang, 1987), 194-97. Allison, 184-85.

<sup>26</sup> *PhS*, 219 (italics in text) and *GW*, IX, 200.

the Kantian realm of phenomenal appearance, yet, Hegel is suggesting, the total absence of predictability and control is just as much, or more, a necessity, a fate, a heteronomy.

If this is conceded, then it will be very interesting to notice that while Kant usually holds that freedom has its own laws, at least in some places he explains freedom as independence from the laws of nature, liberation from all compulsion, the absence of all rules.<sup>27</sup> For Hegel, I suggest, freedom as absence of law (perhaps even—Hegel will suggest as we proceed— freedom that is unable to give us its laws) can be seen as fate. We cannot say what it does—it is blind, imperturbable, and irresistible. To be cut off from the world is very likely to end up at the mercy of the world. In Hegel's view, to the extent that the Kantian transcendental self is separate from the concrete causal world, to the extent that it is cut off from the empirical, it risks subjecting itself to the mercy of fate—or at least seriously contributes to this. Fate occurs because we turn away from the world, leave it to itself, to chance, and thus end up at the mercy of chance, which appears as an uncontrollable necessity. If this is so, it spells disaster for Kant. Fate, though it arises from freedom, subverts freedom. If you are subject to fate you are not self-determined. If the self has a destiny, if it is at the mercy of fate, if it is the plaything of chance, the self becomes alien to itself. Heteronomy would emerge within the autonomous self.

Fate can be compared to history. History is very central to Hegel's concept of *Sittlichkeit*. The sociocultural realm is the historical product of human activity, a product that in turn transforms and develops human beings themselves, a realm which they can come to understand

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<sup>27</sup> *Critique of Pure Reason* (hereafter *CPR*), A447=B475; I have used the N. Kemp Smith translation (New York: St. Martin's Press, 1965) and *KGS*, III-IV, but cite the standard A and B edition pagination so that any edition may be used. Allison, 20. Also *CPrR*, 100 and *KGS*, V, 97.

and in which they can come to be at home and thus free. *Sittlichkeit* is first beginning to emerge here in Chapter V of the *Phenomenology*, and fate is the first, simplest, thinnest view of history. We have nothing but purely individual consciousnesses, their drives, passions, desires, and the clashes between them—all understood as something completely uncontrolled, misunderstood, mere chaos, mere chance. Such a view of history emerges because we view the world only from the inadequate perspective of individual consciousness and are unable to see how consciousness can understand let alone produce or control its historical world—it merely suffers it. Two sections further on in the *Phenomenology*, in "Virtue and the Way of the World," we will already have moved, I shall argue, to a more complex view of history, the view Kant spells out in his "Idea for a Universal History," where fate will turn into providence. In other words, history will appear rationally directed. To speak of fate is to say there is no rationality—no order, direction, or control—involved.

### III

In the next section of Chapter V, "The Law of the Heart and the Frenzy of Self-Conceit," we move from Goethe's *Faust* to his *Werther*, and we get a more complicated moral consciousness that still seeks pleasure, but not merely its own. Its pleasure is to bring pleasure to all hearts. As in "Pleasure and Necessity," love rather effectively tends toward the universal and it is also the case that it is inclined to do so. The Law of the Heart, then, seeks to promote the welfare of *all* humanity as a universal end and it takes pleasure in doing so. There is a lawlike attitude here.<sup>28</sup> This consciousness acts upon a Kantian categorical imperative. Or, as Hegel puts it, this heart

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<sup>28</sup> *PhS*, 221-22 and *GW*, IX, 202-3.



“has within it a law ...”<sup>29</sup> In other words, it takes up or incorporates the law: what this heart “realizes is itself the law, and its pleasure is therefore at the same time the universal pleasure of all hearts. To it the two are undivided; its pleasure is what conforms to the law, and the realization of the law of universal humanity procures for it its own particular pleasure.”<sup>30</sup> Compare this to Kant, who in the *Foundations* says,

To be beneficent when we can is a duty; and besides this, there are many minds so sympathetically constituted that, without any other motive of vanity or self-interest, they find a pleasure in spreading joy around them, and can take delight in the satisfaction of others so far as it is their own work. But I maintain that in such a case an action of this kind, however proper, however amiable it may be, has nevertheless no true moral worth, but is on a level with other inclinations, for example, the inclination to honor, which ... deserves praise and encouragement, but not esteem.<sup>31</sup>

Acting from inclination has no true moral worth. But, on the other hand, acting from duty and being inclined to do so is an ideal of holiness. Kant says, “to love one’s neighbor means to like to practice all duties toward him. The command which makes this a rule cannot require that

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<sup>29</sup> *PhS*, 221 and *GW*, IX, 202.

<sup>30</sup> *PhS*, 222 and *GW*, IX, 203.

<sup>31</sup> Here I prefer Abbott’s translation; see *F* (Abbott trans.), 15-16 and *KGS*, IV, 398. For Beck’s translation, see *F*, 14. Also, see *MPV*, 49-50 and *KGS*, VI, 391.

we have this disposition but only that we endeavor after it.”<sup>32</sup> The perfect agreement of duty and inclination is an

ideal of holiness ... unattainable by any creature ... yet an archetype which we should strive to approach ... in an uninterrupted infinite progress. If a rational creature could ever reach the stage of thoroughly liking to do all moral laws, it would mean that there was no possibility of there being in him a desire which could tempt him to deviate from them ... To such a level of moral disposition no creature can ever attain.<sup>33</sup>

Such holiness is “the supreme condition of the highest good.”<sup>34</sup> The highest good, for Kant, sets as its ideal a perfect agreement between the moral *law* and *inclination*— in other words, it is a *law* of the *heart*. And since the satisfaction of our inclinations would amount to happiness, the highest good also requires the reconciliation of virtue and happiness. If happiness did not accompany virtue, we certainly would not have the *highest* good for human beings. But virtue and happiness would seem to be irreconcilable. Happiness requires the regular satisfaction of our inclinations, interests, and desires. But to be virtuous, we certainly cannot be determined by inclination, interest, or desire. We must be determined by the moral law. And there is no reason to think that virtue will produce happiness. If we lived solely in a phenomenal world, Kant thinks, there would be no reason to expect virtue and happiness to accord. Only if there is also

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<sup>32</sup> *CPrR*, 86 and *KGS*, V, 83.

<sup>33</sup> *Ibid.*

<sup>34</sup> *CPrR*, 126 and *KGS*, V, 122.

an intelligible world can we imagine such reconciliation as an ideal, and only, Kant thinks, if we postulate a God who will see to it that nature is ordered such that while we act virtuously our desires will at the same time be satisfied so that we can also be happy, and happy in proportion to our worthiness to be happy, that is, in proportion to our virtue.<sup>35</sup>

What we have here then, Hegel insists, and Kant fully admits, is an *ideal*. Inclination ideally ought to agree with the moral law—but this is not something actually achieved.<sup>36</sup> Hegel says that the law is still separated from the heart and exists on its own such that most of humanity, while accepting the law, will not actually find it in unity with the heart and so will have to dispense with actual enjoyment in obeying it. Thus the law will start to become for the heart a mere show that will not seem to deserve the authority and reality it is supposed to have.<sup>37</sup> Hegel's point in all of this, I believe, is that we have not transcended all cleavage between objective law and subjective feeling so as to annul the law as law—we have not achieved *Sittlichkeit*. We merely have a Kantian ideal of unity between law and inclination. And this ideal, Hegel wants to go on to argue, is not likely to work in actual cases.

From the start, the law of the heart has hated and opposed any imposition from outside (by authorities, the government, whatever) of laws that offend the heart. All law must agree with the

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<sup>35</sup> *CPrR*, 111-19, 128-33 and *KGS*, V, 107-15, 124-28. For a different but interesting treatment of the Law of the Heart, see J.N. Shklar, *Freedom and Independence: A Study of the Political Ideas of Hegel's Phenomenology of Mind* (Cambridge: Cambridge University Press, 1976), 102-9.

<sup>36</sup> *CPrR*, 86 and *KGS*, V, 83. *MPV*, 151 and *KGS*, VI, 482.

<sup>37</sup> *PhS*, 222-23 and *GW*, IX, 203-4.

heart—that is the only acceptable law. Kant would at least seem to be in agreement with this. In *Religion Within the Limits of Reason Alone*, he claims that we have a practical knowledge that rests “solely upon reason and ... lies as close to every man, even the most simple, as though it were engraved upon his *heart—a law*, which we need but name to find ourselves at once in agreement with everyone else regarding its authority, and which carries with it in everyone’s consciousness *unconditioned* binding force, to wit, the law of morality.”<sup>38</sup> Where does this law—capable of producing such complete agreement as if engraved upon our very hearts—come from? In the *Foundations*, the third formulation of the categorical imperative tells us that each rational being is a supreme legislator, “subject only to his own, yet universal, legislation, and ... only bound to act in accordance with his own will, which is, however, designed by nature to be a will giving universal laws.”<sup>39</sup>

Kant sees no trouble at all in claiming that we are subject to no law but our *own*, yet that we can legislate for *all*. Lacking *Sittlichkeit*, Hegel thinks there will be a great deal of trouble to be found here. In the *Metaphysical Principles of Virtue*, Kant does admit that there is a distinction we must notice. In ethics the “law is conceived as the law of one’s *own* will and *not* of the will in general, which could also be the will of others; in the latter case such a law would give rise to a juridical duty ... “<sup>40</sup> This seems to suggest that while a law one gives oneself can be one’s *own*, others might not take it as *their own*. Indeed, Kant says that I can “be forced by others to actions which are directed as means to an end, but I can never be forced by others to have an end;

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<sup>38</sup> *RWLRA*, 169 (first italics added; second in the text) and *KGS*, VI, 181.

<sup>39</sup> *F*, 51 and *KGS*, IV, 432.

<sup>40</sup> *MPV*, 47 (my italics) and *KGS*, VI, 389.

I alone can make something an end for myself.... for I can have no end except of my own making.”<sup>41</sup> Thus, while it is my duty, for Kant, to promote the happiness of others as my end,<sup>42</sup> it does not seem that this could cause others to accept it as their end. In fact, in *Religion Within the Limits of Reason Alone*, it seems to be the case that in an ethical commonwealth not only will it be the case that others will not accept my legislation as their own but that even:

the people, as a people, cannot itself be regarded as the law-giver. For in such a commonwealth all the laws are expressly designed to promote the *morality* of actions (which is something *inner*, and hence cannot be subject to public human laws), whereas, in contrast, these public laws—and this would go to constitute a juridical commonwealth—are directed only toward the *legality* of actions, which meets the eye, and not towards (inner) morality ...<sup>43</sup>

However, it would seem that Kant wants it both ways. The state cannot force disposition to virtue, yet it seems to count on it,

it would be a contradiction ... for the political commonwealth to compel its citizens to enter into an ethical commonwealth, since the very concept of the latter involves freedom from coercion. Every political commonwealth may indeed wish to be possessed of a

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<sup>41</sup> *MPV*, 38-39 and *KGS*, VI, 381.

<sup>42</sup> *MPV*, 46, 43 and *KGS*, VI, 388, 385-86.

<sup>43</sup> *RWLRA*, 90 (italics in text) and *KGS*, VI, 98-99.

sovereignty, according to laws of virtue, over the spirits [of its citizens]; for then, when its methods of compulsion do not avail ... their dispositions to virtue would bring about what was required. But woe to the legislator who wishes to establish through force a polity directed to ethical ends! For in so doing he would not merely achieve the very opposite of an ethical polity but also undermine his political state and make it insecure.<sup>44</sup>

The legislator wants everyone to take the legislator's law as their own, be disposed toward it, take it as a law of their heart, but woe to the legislator who tries to legislate such a law of the heart. We are certainly not very far along here toward the ideal of agreement between duty and inclination, virtue and happiness, the law and the heart. And so, as Hegel puts it, what will happen is that others will not find the law to be "the fulfillment of the law of *their* hearts, but rather that of someone else; and, precisely in accordance with the universal law that each shall find in what is law *his* own heart, they turn against the reality *he* set up, just as he turned against theirs. Thus, just as the individual at first finds only the rigid law, now he finds the hearts of men themselves, opposed to his excellent intentions and detestable."<sup>45</sup> Others cannot recognize themselves in the law of my heart. If my legislation were to stand as a universal ordinance, others would find it merely my imposition and would turn against it as the very law of the heart demands.<sup>46</sup>

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<sup>44</sup> *RWLRA*, 87 (brackets in text) and *KGS*, VI, 95-96.

<sup>45</sup> *PhS*, 224 (italics in text) and *GW*, IX, 204.

<sup>46</sup> *PhS*, 223-24 and *GW*, IX, 203-4.

What Hegel is suggesting here, and it is something he will further develop in the section entitled "The Spiritual Animal Kingdom," is that Kant was quite correct in the view that the law must come from *your own reason*—though Kant was not fully aware of what this actually implied. It is not enough that laws just be rational. They must be your *own*. Human beings are very much motivated by what is their own—their desire to express themselves and recognize their own doing in the result. And if forced to choose between what is rational or universal and what is their own they will find such a situation oppressive. Lauer argues that the trouble with the law of the heart is that it does not act on the categorical imperative.<sup>47</sup> That is seriously mistaken. The law of the heart does involve a categorical imperative and *that* is precisely what is wrong with it. Hegel is attacking the categorical imperative.

But the worst is yet to come. Hegel thinks that Kantian morality will always result in an alien situation, one that always establishes a law that is not your own—even if *you* yourself instituted the law. In the *Spirit of Christianity*, Hegel said, the "consciousness of having performed his duty enables the individual to claim universality for himself; he intuits himself as universal, as raised above himself *qua* particular and above the whole sphere of particularity, i.e., above the mass of individuals.... and this self-consciousness of his is as foreign to the action as men's applause."<sup>48</sup> In the "Law of the Heart," Hegel says that in carrying out

the law of his heart.... the law has in fact escaped the individual; it directly becomes merely the relation which was supposed to be got rid of. The law of the heart, through its very

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<sup>47</sup> Lauer, 158-59.

<sup>48</sup> *Spirit of Christianity*, 219-20 (italics in text) and *HTJ*, 272.

realization, ceases to be a law of the *heart*. For in its realization it ... is now a *universal* power for which this particular heart is a matter of indifference, so that the individual, by setting up his own ordinance, no longer finds it to be his own. Consequently, what the individual brings into being through the realization of his law, is not *his* law ... but actually is for him an alien affair ... a superior power which is [not] only alien to him, but one which is hostile.<sup>49</sup>

After all, if the legislation of public law, as we have seen Kant himself say in *Religion Within the Limits of Reason Alone*, cannot be taken to demand anything inner, if the legislator cannot expect to legislate disposition to virtue (without undermining the political state and making it insecure), then what difference does it make who the legislator is—you yourself or someone else? As soon as a public law is established that must keep its distance in this way from the inner, from disposition, from your own, from the heart, such a law (Hegel is perfectly correct in claiming) will escape the individual and become an alien power—even for the very individual who established the law.

The problem here is that we do not have *Sittlichkeit*. We have instead a modern separation of universal law and the heart—a separation perfectly expressed in Kantian ethics. Moreover, Kantian ethics simply would not accept *Sittlichkeit*. The Kantian individual would certainly find the "divine and human ordinance[s]" of the ancient world, which were taken "as an accepted authority", to be instead, as Hegel puts it, "a dead authority in which not only its own self ... but also those subject to that ordinance would have no consciousness of themselves ... " In short,

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<sup>49</sup> *PhS*, 223 (italics in text) and *GW*, IX, 203.



Kantian ethics would find the objective laws of the ancient world to be an alien authority—it would find them to be heteronomous. It would see nothing of itself, its *own*, in those laws. Custom and tradition, laws based on religion or mythology, for Kant, could not be forms of rational autonomy. They would be other, heteronomous, alien. What this completely misses, in Hegel's view, is that ancient law was "really animated by the consciousness of all", it was in fact "the law of every heart.... for this means nothing else than that individuality becomes an object to itself in the form of universality in which, however, it does not recognize itself."<sup>50</sup> The divine and human laws of the ancient world, for Hegel, were constituted by the cultural and historical action of the citizens themselves and embedded in their customs, traditions, practices, and feelings—they *were* their *own* laws. They had an objective and universal form such that citizens did not see that they had constituted them, but they *were* the law of every heart. The universal and feelings were not separate here. Their unity was not a mere ideal; their unity was actual.<sup>51</sup> As Hegel put it in an earlier text,

As free men the Greeks and Romans obeyed laws laid down by themselves, obeyed men whom they had themselves appointed to office, waged wars on which they had themselves decided, gave their property, exhausted their passions, and sacrificed their lives by thousands for an end which was their own. They neither learned nor taught [a moral

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<sup>50</sup> *PhS*, 224-25 and *GW*, IX, 205.

<sup>51</sup> Also, see Hegel's discussion of folk religion in the "Tübingen Essay" of 1793, in *Three Essays, 1793-1795*, trans. P. Fuss and J. Dobbins (Notre Dame, IN: University of Notre Dame Press, 1984), 49 and *GW*, I, 103.

system] but evinced by their actions the moral maxims which they could call their very own. In public as in private and domestic life, every individual was a free man, one who lived by his own laws. The idea (*Idee*) of his country or of his state was the invisible and higher reality for which he strove, which impelled him to effort; it was the final end of *his* world or in his eyes the final end of *the* world, an end which he found manifested in the realities of daily life or which he himself co-operated in manifesting and maintaining. Confronted by this idea, his own individuality vanished; it was only this idea's maintenance, life and persistence he asked for, and these were things which he himself could make realities.<sup>52</sup>

The cultural and historical construction of institutions and laws will be traced at length in Chapter VI of the *Phenomenology*— from the ancient world through the French Revolution. And in Chapter VI, the further we move into the modern and Kantian world, the more it will be the case that our laws are not seen as our own. In the ancient world, laws were our own—they were laws of the heart.

The failure of the law of the heart in the modern world leads to the frenzy of self-conceit. You blame the domination that arises from the law of the heart not on yourself—your heart is

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<sup>52</sup> *Positivity of the Christian Religion*, in *On Christianity: Early Theological Writings*, 154 (italics and parentheses in the text) and *GW*, I, 367-68.

pure, all you want is the happiness of others. The fact that they do not accept this, the fact that they see it as domination, is not due to you; it is a general perversion of the law of the heart:<sup>53</sup>

The consciousness which sets up the law of *its* heart therefore meets with resistance from others, because it contradicts the equally *individual* laws of their hearts; and these others in their resistance are doing nothing else but setting up and claiming validity for their own law. The universal that we have here is, then, only a universal resistance and struggle of all against one another, in which each claims validity for his own individuality, but at the same time does not succeed in his efforts, because each meets with the same resistance from the others, and is nullified by their reciprocal resistance. What seems to be public *order*; then, is this universal state of war, in which each wrests what he can for himself, executes justice on the individuality of others and establishes his own, which is equally nullified through the action of the others. It is the 'way of the world', the show of an unchanging course that is only *meant* to be a universality ...<sup>54</sup>

The "Way of the World" or the "Course of the World"—in German, "*der Weltlauf*"—is a term that Hegel finds in Kant.<sup>55</sup> Certainly, Hegel's description of the "Way of the World" is intended

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<sup>53</sup> *PhS*, 226 and *GW*, IX, 206. Compare with Kant's *RWLRA*, 25, 32-33 and *KGS*, VI, 30, 37.

<sup>54</sup> *PhS*, 227 (italics in text) and *GW*, IX, 207.

<sup>55</sup> Kant writes, "Thus we can say that the real things of past time are given in the transcendental object of experience; but they are objects for me and real in past time only in so far as

to refer to an arrangement central to Kant's political philosophy and philosophy of history.

Compare the above passage from Hegel to the following passage from Kant's *Perpetual Peace*,

many say a republic would have to be a nation of angels, because men with their selfish inclinations are not capable of a constitution of such sublime form. But precisely with these inclinations nature comes to the aid of the general will established on reason, which is revered even though impotent in practice. Thus it is only a question of a good organization of the state (which does lie in man's power), whereby the powers of each selfish inclination are so arranged in opposition that one moderates or destroys the ruinous effect of the other. The consequence for reason is the same as if none of them existed, and man is forced to be a good citizen even if not a morally good person.

The problem of organizing a state, however hard it may seem, can be solved even for a race of devils, if only they are intelligent. The problem is: "Given a multitude of rational beings requiring universal laws for their preservation, but each of whom is secretly inclined to exempt himself from them, to establish a constitution in such a way that, although their

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I represent to myself (either by the light of history or by the guiding-clues of causes and effects) that a regressive series of possible perceptions in accordance with empirical laws, in a word, that the course of the world [*der Weltlauf*], conducts us to a past time-series as condition of the present time—a series which, however, can be represented as actual not in itself but only in the connection of a possible experience"; *CPR*, A495; also A450=B478. Also, see *MPV*, 15 and *KGS*, VI, 216. Also see Luther's translation of the Bible, Ephesians 2:2.

private intentions conflict, they check each other, with the result that their public conduct is the same as if they had no such intentions."

A problem like this must be capable of solution; it does not require that we know how to attain the moral improvement of men but only that we should know the mechanism of nature in order to use it on men, organizing the conflict of the hostile intentions present in a people in such a way that they must compel themselves to submit to coercive laws. Thus a state of peace is established in which laws have force....<sup>56</sup>

The assumption of the ancient world was always that in a good city the universal and the heart (law and morality, on the one hand, and inclination, interest, custom, tradition, on the other) would agree—*Sittlichkeit* was the norm. In the modern world, the assumption is the reverse, that the universal and the heart are separate and will diverge, though the heart can be manipulated so as to produce the universal. For Kant, the ideal of holiness is that the universal and the heart, duty and inclination, agree. This ideal is the supreme condition of the highest good—what Hegel calls the law of the heart. But it is only an ideal and all we end up with is the frenzy of self-conceit, the organization of a race of devils into the appearance of a nation of angels, public order that is really a state of war, the reciprocal nullification of conflicting interests appearing as the universal. At any rate, we have already arrived at the next section: "Virtue and the Way of the World."

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<sup>56</sup> *Perpetual Peace* (hereafter *PP*), in *On History*, ed. L.W. Beck (Indianapolis:

Bobbs-Merrill, 1963), 112-13 and *KGS*, VIII, 366-67.

## IV

The law of the heart, then, dissolves merely into virtue. In other words, the consciousness now before us no longer takes pleasure in acting on the universal; it no longer combines inclination and the moral law. It simply does its duty. All we have is ordinary Kantian virtue, and it stands opposed to the way of the world, the conflict of particular interests that it intends to manipulate in order to produce virtuous results. Like Lauer and Hyppolite, many commentators seem to think that "Virtue and the Way of the World" is about Don Quixote.<sup>57</sup> I think there is a passing reference to Quixote in one passage,<sup>58</sup> but that is not what the section is *about*. No commentator that I am aware of sees what the section, at least in my opinion, is so very clearly about, namely, Kant's philosophy of history.

In his "Idea for a Universal History," Kant tells us that there are two forces at work in history. The first is the conflict of particular interests; the second is morality. And both, for Kant, lead to the very same end—peace, justice, and a league of nations.<sup>59</sup>

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<sup>57</sup> Lauer, 162-63. J. Hyppolite, *Genesis and Structure of Hegel's Phenomenology of Spirit*, trans. S. Cherniak and J. Heckman (Evanston, IL: Northwestern University Press, 1974), 290.

<sup>58</sup> *PhS*, 231 and *GW*, IX, 210.

<sup>59</sup> "Idea for a Universal History" (hereafter *IUH*), in *On History*, 18-19 and *KGS*, VIII, 24-25. *PP*, 112-13 and *KGS*, VIII, 366-67. Also, see my earlier treatment of these matters in *Marx and Modern Political Theory* (hereafter *M&MPT*) (Lanham, MD: Rowman & Littlefield, 1993), Chapters 4-5.

Kant thinks that we find two propensities within human beings. He sums these up as "unsocial sociability." Human beings have an unsocial propensity—a propensity to selfishness and lack of concern for the interests of others. But they also have a social propensity. They must cooperate with others in society to satisfy their needs. These two propensities together—associating with others, yet being selfish and unsocial—produce conflict, competition, and even war. While there is an obvious negative side to this conflict, there is also a positive side. Conflict and selfishness, after all, drive us to accomplish things; competition sharpens our abilities. We are driven toward the development of our powers, capacities, and talents.<sup>60</sup>

So, for Kant, we are driven to society by sociability and the need for others. Once in society, competition and selfishness set in and our powers and capacities develop. This development, for Kant, will eventually lead to the society of morality, justice, and peace that he is after.<sup>61</sup> The notion that conflicting self-interest leads toward what morality demands is quite similar to, and perhaps Kant even gets it from, Adam Smith. In a market economy, each pursues their own self-interest. Nevertheless, for Smith, this self-seeking not only produces a common good, it does so more effectively than if individuals had consciously and cooperatively sought the common good. Aggressive self-seeking, given the interdependence of each upon all, produces a national capital, the wealth of the nation, that *common good*, out of which each struggles to gain

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<sup>60</sup> *IUH*, 15 and *KGS*, VIII, 20-21.

<sup>61</sup> *Ibid.* *PP*, 106, 111 and *KGS*, VIII, 360-61, 365.

their particular share. Self-seeking produces this common good through an "invisible hand"; that is, behind our backs and despite our intentions.<sup>62</sup>

For Kant, there is also an "unsocial sociability" at the international level. We find the assertion of national self-interest that drives nations toward aggression and war. Yet there is also an important form of sociability among nations, namely, their interest in commerce and trade. It is the dynamic interplay between these factors that will lead to a league of nations, peace, and international law.

As wars become more serious, destructive, and expensive, they become more uncertain. They come into conflict with ever-increasing economic interests—they interfere with trade. As world trade grows, as nations become more interdependent, war poses an ever-greater threat to the smooth functioning of the international market. At the first sign of war, other nations will intervene to arbitrate, to quash the war, in order to secure their own national commercial interests. This is the first step toward a league of nations.<sup>63</sup>

The second force at work in history is morality. We can easily see that morality, the categorical imperative, would demand fair laws, just constitutions, and an end to wars. We could not will to universalize war, unjust constitutions, and unfair laws. Morality would also demand a league of nations.<sup>64</sup> And morality, for Kant, is one of the forces at work in history. Moreover, the other force, we have already seen, drives us toward the very same point that morality does. War

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<sup>62</sup> A. Smith, *Wealth of Nations*, ed. E. Cannan (New York: Modern Library, 1937), 423.

<sup>63</sup> *IUH*, 23 and *KGS*, VIII, 28. *PP*, 114 and *KGS*, VIII, 368.

<sup>64</sup> *PP*, 100 and *KGS*, VIII, 356.



among nations and commercial interest drive us toward peace, law, and a league of nations. Both morality and war converge toward the same end.<sup>65</sup>

In the long passage quoted above from *Perpetual Peace*, we see a good example of these two forces at work. Kant argues that selfish inclinations must be arranged so that they cancel each other out and thus devils can end up with a society that might have seemed possible only for those with the morality of angels. Both forces are necessary for Kant. One without the other is not enough. Reason and morality alone, he says, would never achieve our end. Humans are too corrupt.<sup>66</sup> On the other hand, conflict or war alone will never actually make us moral. Conflict and war drive us toward peace and legality. But this is only to say that our self-interest drives us toward peace and law; and self-interest is not moral for Kant.

If, for Kant, we are able to form an idea for a universal history; if we can see that in history the dynamic tension between war and commerce will lead us unconsciously toward the same point that reason and morality would consciously lead us; then Kant thinks that the second force at work in history, our own reason, our own morality, can begin to guide this historical development toward its goal.<sup>67</sup> History can be rationally guided. We can have providence,<sup>68</sup> not just fate.

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<sup>65</sup> *IUH*, 18-19 and *KGS*, VIII, 24-25. *PP*, 111-13 and *KGS*, VIII, 365-67.

<sup>66</sup> *IUH*, 17-18 and *KGS*, VIII, 23.

<sup>67</sup> *IUH*, 22 and *KGS*, VIII, 27.

<sup>68</sup> *IUH*, 25 and *KGS*, VIII, 30.

Hegel clearly has Kantian morality and philosophy of history in mind as he plays out the interaction between the two consciousnesses that stand before us: virtue and the way of the world.<sup>69</sup> Virtue, he says, is the consciousness that universal law is essential and that individuality—which is to say, inclination and particular interest—must be sacrificed to the universal and thus brought under its discipline and control. Virtue wills to accomplish a good that is not yet actual; it is an ought that must be realized. And it can be realized only through virtue's nullifying of individuality.<sup>70</sup> In the *Metaphysical Principles of Virtue*, Kant says that the “moral capacity of man would not be virtue if it were not actualized by the strength of one’s resolution in conflict with powerful opposing inclinations. Virtue is the product of pure practical reason insofar as the latter, in the consciousness of its superiority (through freedom), gains mastery over the inclinations.”<sup>71</sup> He also says you must “dare to do battle against all the forces of nature within you and round about you, and to conquer them when they come into conflict with your moral principles.”<sup>72</sup>

For the way of the world, on the other hand, individuality takes *itself* to be essential—which is to say that it pursues self-interest. It seeks its own inclinations, pleasures, and enjoyment, and in doing so it subordinates the universal to itself. For Kant, as we saw, both morality and the conflict of particular interests converge toward the same universal end. So also, Hegel says, the

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<sup>69</sup> Hegel was also influenced by Adam Smith and James Steuart. For a fuller treatment of these matters, see my *M&MPT*, 123-30, 149-50 n.36.

<sup>70</sup> *PhS*, 228-30 and *GW*, IX, 208-10.

<sup>71</sup> *MPV*, 145 and *KGS*, VI, 477.

<sup>72</sup> *MPV*, 152; see also 64-65, 67-68 and *KGS*, VI, 483, 405, 408.

way of the world, through the conflict of particular interests, achieves the universal—the very same universal that virtue seeks.<sup>73</sup> For Kant, it was morality's task to guide the historical conflict of particular interests and to hasten it toward its end. For Hegel too, virtue attempts to assist the way of the world to realize the universal.

At this point, however, Hegel's disagreement with Kant begins to sharpen. Hegel argues that, in fact, virtue's assistance is *unnecessary*; the way of the world is quite capable of realizing the universal on its own. The Quixotic assistance of the knight of virtue is a sham.<sup>74</sup> Virtue wants to bring the good into existence by the sacrifice of individuality or particular interest. But it is individuality, the conflict of particular interests, that actually realizes the universal. Virtue denies the accomplishments of the way of the world and attempts to claim them for itself. Virtue always wants to treat the universal as something that does not yet exist, something that *ought to be*, something it will bring about, rather than as something which already *is*. *Sittlichkeit* is emerging here. Hegel says:

Virtue in the ancient world had its own definite sure meaning, for it had in the *spiritual substance* of the nation a foundation full of meaning, and for its purpose an actual good already in existence. Consequently, too, it was not directed against the actual world as against something *generally perverted*, and against a 'way of the world'. But the virtue we

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<sup>73</sup> *PhS*, 228-29, 235 and *GW*, IX, 208-9, 213.

<sup>74</sup> *PhS*, 230-32 and *GW*, IX, 209-11.

are considering has its being outside of the spiritual substance, it is an unreal virtue, a virtue in imagination and name only, which lacks that substantial content.<sup>75</sup>

For Hegel, we must drop the idea that virtue exists only as a principle, an ought, which as yet has no actual existence and which must be brought into existence through the sacrifice of individuality, particular interest, or passion. Hegel's objection to Kantian morality is that it is abstract, outside the world, an ought, and that it believes that only it is capable of realizing the universal.<sup>76</sup> It has severed itself from the concrete actual world of interest and passion, and faces it as an other. From this superior position it wants to direct the world. Instead, morality must be rooted in the world.

Or, to put this another way, Kant's philosophy of history and his ethics are written from the perspective of individual consciousness—the perspective that there are only individual consciousnesses. Morality, for Kant, is a matter of individual will abstracted from the concrete actual world. Certainly, for Kant, inclinations, interests, and passions are part of the world and are to be carefully distinguished from the individual moral will if the individual is to be self-determined and thus free. It is this separation that Hegel objects to. It involves the “creation of distinctions that are no distinctions ...”<sup>77</sup> Kant has no notion of *Sittlichkeit*, which Hegel is trying to push us towards here. *Sittlichkeit* is morality embedded in a concrete cultural world. For Hegel, virtue and the way of the world, particular interest and the universal, morality and the

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<sup>75</sup> *PhS*, 234 (italics in text) and *GW*, IX, 212-13.

<sup>76</sup> *PhS*, 235 and *GW*, IX, 213.

<sup>77</sup> *PhS*, 234 and *GW*, IX, 212.

concrete world, are not separate opposed realities externally related to each other. They are internally related as parts of a single cultural reality that already exists; it is not something that merely ought to be realized.

We must abandon the perspective of individual consciousness and adopt a perspective in which the concrete world and individual consciousness are seen as two parts of one spiritual unity. Individual consciousness is the internalization of the sociocultural world and the sociocultural world is the outcome and expression of the actions of individual consciousnesses. Each develops in interaction with the other, and each transforms the other.

Hegel agrees with the Kantian and Smithian notion that a conflict of particular interests leads to the universal. What Hegel does not accept is that this can be adequately understood at the level of individual consciousness. For it to be correctly understood, we must move to the level of culture. Culture explains how individual interest—the concrete way of the world—is connected to virtue. The interaction among particular interests gives rise to a set of institutions, a world, which develops a spiritual life of its own and which reacts back upon and molds those individual consciousnesses and leads them to virtue. Particular interest and virtue are not two externally related realms eternally distinguished from each other. They are internally related as two interacting parts within a single cultural unity. Each produces and molds the other. Virtue is simply mistaken in thinking itself independent and outside this spiritual reality, superior to it, and thus able to manipulate and guide particular interests from above. Particular interests as they are formed by their cultural world actually take an *interest* in virtue and virtue is something that properly engages and develops out of our passions, inclinations, and interests. Moreover, there is no ought that is above, outside, independent and that the individual will must set out to realize.

Morality already exists as the spiritual unity that encloses us, that is our very being, and that is embedded in our feelings, desires, and interests. Hegel's task is to reconcile us to what *is* by allowing us to correctly understand what *is*. His aim is not to transform reality in accordance with an abstract and independent ought. Virtue is not something as yet nonexistent that we ought to realize; it is something already existing that we must come to more deeply recognize and rationally grasp in our actual sociocultural practices. As Hegel puts it in the *Philosophy of Right*,

After all, the truth about Right, Ethics, and the state is as old as its public recognition and formulation in the law of the land, in the morality of everyday life, and in religion. What more does this truth require—since the thinking mind is not content to possess it in this ready fashion? It requires to be grasped in thought as well; the content which is already rational in principle must win the *form* of rationality ...<sup>78</sup>

At any rate, Kantian practical reason ends in failure. It thinks it can direct the course of the world, but it turns out that this is self-delusion. The course of the world does better than does virtue.

## V

"Virtue and the Way of the World," then, achieves a universal end brought about by the action of particular interests. What this shows us, Hegel suggests in the next section, entitled "The

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<sup>78</sup> *PR*, 3 (italics in text), 11-12 and *SW*, VII, 22, 35-36.

Spiritual Animal Kingdom and Deceit, or the Fact Itself,"<sup>79</sup> is that action can only be judged by what it does. Only the action achieved is a reality, not the idea that is supposed to guide the action from above or outside. We cannot determine the reality of the action until it takes place—we cannot see the universal moral result in the particular interests until the conflicting particular interests have actually realized the universal. The reality of any potentiality, capacity, or talent is its realization, not what we hope or desire or intend, but what becomes, what is actually realized in action. The talent of engineers or artists is seen in the bridges they build or the paintings they paint, not merely in their hopes, dreams, or intentions concerning possible bridges or paintings.<sup>80</sup>

In an earlier section, Hegel discussed physiognomy, the doctrine propounded by Lavater to the effect that the inner character of individuals is expressed outwardly in their bodily form and facial expressions. If we wonder why Hegel spent so much time attacking what to most people is obviously a pseudoscience, part of the answer is that Hegel's attack against physiognomy hits at much more than just physiognomy—it hits at Kant's ethics as well. Physiognomy regards the deed and its performance as inessential and irrelevant. It regards only inner intentions as essential and thinks it can discern these inner truths through, say, facial expressions.<sup>81</sup> Physiognomy pushes this way too far. As Hegel puts it, "If anyone said, 'You certainly act like

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<sup>79</sup> Miller translates "*die Sache selbst*" as the "'matter in hand' itself," or elsewhere as the "heart of the matter." I think a better translation is simply "the fact itself."

<sup>80</sup> *PhS*, 239-40 and *GW*, IX, 217-18. See also, *L*, 253 and *SW*, VII, 314. *PR*, 83 and *SW*, VII, 182. Also Wood, 137-39, 143, 151.

<sup>81</sup> *PhS*, 191-92 and *GW*, IX, 176-77.

an honest man, but I see from your face that you are forcing yourself to do so and are a rogue at heart"; without a doubt, every honest fellow to the end of time, when thus addressed, will retort with a box on the ear."<sup>82</sup>

But how far from this is Kant, who in the *Foundations* says, "when moral worth is in question, it is not a matter of actions which one sees but of their inner principles which one does not see."<sup>83</sup> How is it, then, that we can be sure of these inner intentions? Well, that is something of a problem even for Kant,

if we attend to our experience of the way men act, we meet frequent and, as we ourselves confess, justified complaints that we cannot cite a single sure example of the disposition to act from pure duty.... It is in fact absolutely impossible by experience to discern with complete certainty a single case in which the maxim of an action, however much it may conform to duty, rested solely on moral grounds and on the conception of one's duty. It sometimes happens that in the most searching self-examination we can find nothing except the moral ground of duty which could have been powerful enough to move us to this or that good action and to such great sacrifice. But from this we cannot by any means conclude with certainty that a secret impulse of self-love, falsely appearing as the idea of duty, was not actually the true determining cause of the will.... our concern is not whether this or that was done but that reason of itself and independently of all appearances commands what ought to be done. Our concern is with actions of which perhaps the world has never had an

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<sup>82</sup> *PhS*, 193 and *GW*, IX, 178.

<sup>83</sup> *F*, 23 and *KGS*, IV, 407.



example, with actions whose feasibility might be seriously doubted by those who base everything on experience, and yet with actions inexorably commanded by reason.<sup>84</sup>

This simply will not work. How are we to establish the existence of the sort of intelligible self that could ground such pure intentions, unsullied by self-love, of which the world has perhaps never seen an example, but which are inexorably commanded by reason? If we accepted the existence of a noumenal realm that could keep reason and its pure intentions apart in a beyond where they could be considered an inner essence behind the outer appearance of self-love, we might begin to argue for the existence of such an intelligible self. But Hegel will not concede the existence of such a realm and, indeed, most modern commentators find the very concept to be an embarrassment which they either ignore or avoid. We might instead try to argue that without such an intelligible self and the freedom it implies, we could not understand the possibility of morality.<sup>85</sup> But Hegel has just shown us that this is not so. We do not need a virtue to direct the course of the world. The particular interests that make up the course of the world are quite able on their own to realize the universal. Furthermore, by Kant's own admission in the passage just quoted, we cannot even cite a single sure example of an action done from pure duty. How then can we claim to establish that there is or must be an intelligible self, the seat of a

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<sup>84</sup> *F*, 22-24 and *KGS*, IV, 406-8. Also, see *CPR*, A551=B579. For Kant, in the *Critique of Judgment*, the ideal of artistic beauty requires the visible expression in bodily form of the moral ideas that rule us inwardly; *Critique of Judgment*, trans. J.H. Bernard (New York: Hafner, 1966), 72 and *KGS*, V, 235.

<sup>85</sup> As, for example, *F*, 63-81 and *KGS*, IV, 444-62.

reason that of itself and independently of all appearances is able to issue inexorable commands of pure duty?

All we have is a deed, a doing, an action. There is no self residing inside us in a beyond or in a second world or that somehow escapes the supposed heteronomy of the phenomenal world. All we have here, as Hegel puts it, is a distinction that is no distinction—a distinction that is purely nominal.<sup>86</sup>

For Hegel, there is no way to get a hold of inner intentions—certainly not if that is supposed to allow us to measure or critique or avoid the deed. The deed is not a mere outer expression of an inner intention. The deed is what it is: murder, theft, bravery. It is what can be said of it. We should not fancy that we are something else than what we have done. We should not explain away our deed by appeal to intentions—something "meant," something conjectured. What we are, our essence, is the work we have done.<sup>87</sup>

Let us say, then, that action is a self-expression—not of a transcendental self, but simply the expression or realization of a capacity or talent—and that this is the way we must understand individuality. The self or the individual is simply what is expressed, what is realized, in the action or work. The self is not some mysterious entity behind or beyond its action. We cannot appeal to an inner self to measure the deed. That would be to go beyond the essential nature of the work which is simply to be the realization of a potential. It will follow from this that there is no room even for exaltation, lamentation, or repentance over the work. Any of this would be to presuppose a self-in-itself that was, or might have been, or that failed to be, realized. But there is

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<sup>86</sup> *PhS*, 233-34 and *GW*, IX, 212.

<sup>87</sup> *PhS*, 194, 191 and *GW*, IX, 178-79, 176-77.

no such self-in-itself. The original nature or potential of the individual can be nothing but what actually gets carried out, expressed, realized in the world. We cannot lament that our work does not live up to our potential. Our potential is nothing but what we are able to realize in our work. The individual is what the individual actually does, not what they merely hope, dream, or intend.

<sup>88</sup> This is a view that academics are not likely to find congenial. We are all deeply convinced that we are capable of far more and much greater work than we ever turn out. Such is our self-delusion. There is no room for a Kantian self-in-itself behind or beyond or distinguished from what is actually realized.

In one of the examples that Kant gives of a moral act in the *Foundations*, he discusses talents. Hegel, I suggest, is arguing that Kant's treatment of talents is seriously flawed. Kant asks if the moral law could allow us to will to leave a useful talent undeveloped, and concludes that it will not allow us to do so. We cannot universalize not developing such a talent. The categorical imperative demands that we develop such talents.<sup>89</sup> In the *Metaphysical Principles of Virtue*, Kant says that we have a duty to cultivate our natural powers, capacities, and endowments.<sup>90</sup>

The moral law, then, commands us to take as our end the realization of such specific talents. For Hegel this is simply incoherent. It is impossible to determine what this end might be before it has actually been realized. What talent I might have, what my potential might be, can only be

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<sup>88</sup> *PhS*, 241-42 and *GW*, IX, 219-20.

<sup>89</sup> *F*, 40-41 and *KGS*, IV, 422-23. See also Onora (formerly Nell) O'Neill, *Acting on Principle: An Essay on Kantian Ethics* (New York: Columbia University Press, 1975), 84-89.

<sup>90</sup> *MPV*, 44, 108 and *KGS*, VI, 386-87, 444.

discovered in what I am finally able to make real through action. Do I have the potential to write a book that is truly a masterpiece and thus would have a moral obligation to keep at it until I actually produce that book? Or do I merely have the potential to write a few valuable and interesting things and when I have done so would best be advised to move on to another topic? Or is it the case that my talent really lies in a completely different field altogether and that I am wasting my time in writing. You cannot know what your end is, what your talent is, what potential you have until you have actually carried it out.

Bernard Williams tells a story of a Gauguin-like figure who while concerned with the definite and pressing human claims made upon him and what is involved in their being neglected nevertheless turns away from them in order to realize his gifts as a painter and to pursue his art. This involves a good deal of risk. Whether or not he succeeds in developing this gift, whether he actually has a significant gift, he cannot tell for sure ahead of time. Thus, whether his action can be justified depends, certainly in part, on whether he actually has and is finally able to develop this gift. Any justification, then, will at least in part have to be retrospective.<sup>91</sup> But for Kant the categorical imperative would certainly seem to require that we know and will our end ahead of time. We must act on a maxim—a maxim that we formulate, analyze, and find to be universalizable ahead of time. If we do not have such a rational principle to act upon, our act will be heteronomous, at the whim of the way of the world—not free or moral. However, Allison argues that:

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<sup>91</sup> B. Williams, *Moral Luck: Philosophical Papers 1973-1980* (Cambridge: Cambridge University Press, 1981), 21-24.

since maxims are self-imposed rules, one cannot make something one's maxim without in some sense being aware of it as such, or at least without the capacity to become aware of it.... This does not entail, however, either that we possess a "Cartesian certainty" regarding our motivation (which Kant, of course, denies) or that we must explicitly formulate our maxims to ourselves before acting. The point is rather a conceptual one: namely, that I cannot act on a principle (according to the *conception* of law) without an awareness of that principle, although I need not be explicitly aware of myself *as* acting on that principle. Moreover, it must be possible in subsequent reflection to discover and articulate (albeit not in an infeasible way) the maxims on which one acts ...<sup>92</sup>

But where we cannot know ahead of time what our potential, our talent, and thus our end is, it does not make sense to say that in subsequent reflection we could discover and articulate the

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<sup>92</sup> Allison, 90 (italics in the text). This may well lead to trouble. Later in the text, Allison discusses actions that are motivated both by duty and by inclination. He argues that it is a mistake to take Kant as holding that motives or incentives are psychic forces that operate either singly or in cooperation. For Kant, motives or incentives determine the will only if taken up into a maxim (Allison, 117). Let us imagine individuals who are trying to decide whether they were determined by duty or inclination and who did not formulate their maxim before acting. Recall that Kant himself claims that generally speaking we can never be certain whether we were motivated by duty or inclination. Can we simply and unproblematically accept what is discovered and articulated upon subsequent reflection concerning the maxims on which such individuals acted? Can we know what was taken up into a maxim if no maxim was explicitly formulated?

maxim on which we acted. If it was not possible to formulate a specific maxim in the first place, it would not be possible to discover and articulate one in retrospect. Instead of specific maxims, Kant seems to have in mind all-purpose maxims to the effect that we should realize *whatever* useful talents we might have,

No principle of reason prescribes exactly how far one must go in this effort.... Besides, the variety of circumstances which men may encounter makes quite optional the choice of the kind of occupation for which one should cultivate his talent. There is here, therefore, no law of reason for actions but only for the maxim of actions, viz., "Cultivate your powers of mind and body so as to be able to fulfill all the ends which may arise for you, uncertain as you may be which ends might become your own."<sup>93</sup>

However, such all-purpose maxims tell us nothing whatsoever about what it is moral to do in any specific case because we cannot know where our talent lies or how much talent we have in any specific area. The categorical imperative cannot tell me whether I should keep working toward a masterpiece, switch topics often, or give up writing altogether?

Furthermore, all of this presents problems for the second formulation of the categorical imperative. If it is a duty to "treat humanity, whether in your own person or in that of another, always as an end and never as a means only",<sup>94</sup> and if as a consequence of this we have a duty to

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<sup>93</sup> *MPV*, 50-51 and *KGS*, VI, 392.

<sup>94</sup> *F*, 47 and *KGS*, IV, 429.

develop our powers, capacities, and talents,<sup>95</sup> then we are in trouble. If we cannot know what our talents are ahead of time, and if to treat humanity as an end requires that we develop our talents and those of others, then we will not know how to act in these cases. Again, we cannot give in to Kantian virtue's claim that it must be put in charge, that it can survey the whole terrain, that it will foresee what must be done, either to direct the way of the world or even to develop our talents by way of treating humanity as an end. Virtue must instead take a very different stance. It must deal with what is, with actuality, with what has already been actualized. As Williams suggests, it is largely retrospective. We cannot simply and easily look ahead to what Kantian virtue claims *ought* to be realized.

What do we do then? Well, Hegel thinks real people just act. And he thinks Kant well knows they do. Indeed, in his "Idea for a Universal History," Kant takes a very different approach to the development of talents. He holds that it is simply self-interest that causes our talents to develop. As in Adam Smith's model of a market society, competing particular interests force the development of powers, capacities, and talents. Selfishness awakens our powers and stirs us out of complacency. It moves us to action, drives us to accomplish things, and develops our potential.<sup>96</sup> The way of the world and not virtue is what develops our talents.

Hegel, I suggest, thinks that Kant's approach in the *Foundations* is senseless and that the view Kant presents in his "Idea for a Universal History" is correct. Within a set of circumstances, our interests are formed; they lead us to action; and we realize a potential.<sup>97</sup> At

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<sup>95</sup> *MPV*, 50-51 and *KGS*, VI, 392.

<sup>96</sup> *IUH*, 15-16 and *KGS*, VIII, 20-21.

<sup>97</sup> *PhS*, 240 and *GW*, IX, 218.

the same time, Hegel is trying to develop his own view, namely, that acting, the development of talents, is an objectification of the self. Only the public product, only the result, is the realization of the talent. So also the objectified talent or product (the bridge or painting) must be recognized by others. An unrecognized product means a non-objective, non-real talent—merely your own subjective opinion that you have a talent. A talent that will never be recognized is not a real talent.<sup>98</sup>

We are headed for a crisis here. There is nothing to sustain a Kantian self-in-itself. We must give up the notion of a transcendental self grounded in a beyond; we must abandon the notion of a self that is supposed to have powers and talents that it should, but may or may not, realize. There is no such self. It is only in and through the actual realization of powers, capacities, and talents that a self emerges. The self emerges in its objectifications. A self becomes real insofar as it objectifies itself and is recognized. Our problem here is that at the level of individual consciousness the objectifications of the self cannot gain adequate recognition.

What we have, then, are works in which individuals have objectified their powers, capacities, and talents, but which are ephemeral and unreal because other individuals find them unimportant—not their expression, realization, or objectification—and thus do not recognize them.<sup>99</sup> At this point, Hegel begins to take up the notion of "*die Sache selbst*"—the fact itself. Hyppolite suggests that Hegel is distinguishing between a thing of perception (*Ding*) and a thing

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<sup>98</sup> *PhS*, 111 and *GW*, IX, 109. It is certainly possible for real talent to go unrecognized, for artists, say, to be ahead of their time, but to hold that a talent that will never be able to gain recognition is still a talent, is simply self-delusion.

<sup>99</sup> *PhS*, 245-46 and *GW*, IX, 223.



of spirit or culture, a human thing (*Sache*).<sup>100</sup> The point that Hegel wants to move toward, I believe, is that facts are sociocultural constructions. Individuals act, express, objectify themselves (their powers and capacities) in a work. This is what constitutes facts. Facts are constructs, creations, interpretations. Individual activity creates them through work, scholarship, research, experiment, production, and so forth. Reality is a spiritual-cultural substance formed by individual action or work.

Take the fact that "Augustus was an Emperor of Rome." This might seem to be just a simple independently given fact. But Rome, its political institutions, and its emperors were historical realities constructed by Romans. Without this historical construction, there would be no Rome, no Roman emperors, and no Augustus. For the statement "Augustus was an Emperor of Rome" to have anything beyond the most trivial meaning, we must understand what Rome was, what its political institutions were, and what an emperor was. And to gain this understanding would require interpretation—interpretation that we could argue about and disagree over. At a certain point, our interpretations of our constructions may crystallize into what looks like a simple independently given fact—the fact itself—but that is because our differences have paled and we have come to take these interpretations and constructions for granted.

At this point in Chapter V, then, actuality—all that is actual—is now identified with the action or expression of individuals. The actual world is the action of all individuals expressing their talents and objectifying their powers in works or acts. Consciousness (at least for us) now

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<sup>100</sup> Baillie's translation is clearer here: *Phenomenology of Mind* (hereafter *PhM*), trans. J.B. Baillie (New York: Harper & Row, 1967), 431 and *GW*, IX, 223; for Miller's translation, see *PhS*, 246. Hyppolite, 309.

knows that it constitutes its world. In working on reality, in forming it as a product, in expressing and objectifying our powers and talents, through research, experiment, work, and so forth, reality is constituted by us.

The problem remaining here is that we are still at the level of individual consciousness and thus each individual only recognizes itself in the object and only takes its own objects to be significant. Others do not recognize your object nor you theirs. What Hegel calls Honest Consciousness responds to this by holding that even if it did not bring a purpose to reality, did not accomplish anything that others would recognize, did not build a bridge or paint a painting, but tried, “at least *willed* it,” well, that is good enough. Honest Consciousness is consoled. Even failure was an attempt.<sup>101</sup> As for Kant, this consciousness is not motivated by results, consequences, or the actual realization of purposes.<sup>102</sup> Its concern is with its attempt, its intention, and the fact itself.

But this leads to deceit. Honest Kantian consciousness is not as honest as it claims. Honest Consciousness would claim not to be concerned with accomplishments and recognition but simply with the fact itself and with trying hard—and, indeed, this too is the way others regard it. They assume that the real issue is the work, the fact itself, regardless of who accomplished it. As long as we all really tried, it does not matter *who* actually made the scientific discovery or who gets the recognition. Only the discovery itself really matters. Only the advance of science matters to Honest Consciousness—not its *own* accomplishment or recognition. Or so it would seem, until anyone tries to question Honest Consciousness's accomplishment. Just see what

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<sup>101</sup> *PhS*, 247-48 (italics in text) and *GW*, IX, 224-25.

<sup>102</sup> *F*, 10 and *KGS*, IV, 394.

happens if you try to point out to Honest Consciousness that in fact *you* had already made this scientific discovery earlier, or even if you claim credit for *significantly* assisting in the discovery. You will begin to see that Honest Consciousness has left the position where it claimed to be and we all thought it was. It is really Honest Consciousness's *own* doing that concerns it—not merely the fact itself. Honest Consciousness wants the credit for making the discovery *itself*. And when others come to see that this is Honest Consciousness's real intent, they feel deceived. However, their own haste to assist demonstrated just as much that their real concern was not merely the fact itself either but their *own* desire to be in on the discovery *themselves* and to be recognized for it. They wanted to deceive in just the way they complain of being deceived.<sup>103</sup> Consciousness is not interested in the fact itself regardless of who expresses it.

We might compare this to Kant, who, in explaining the fourth formulation of the categorical imperative in the *Foundations*, argues that if we were only subject to moral laws, it would be possible to attach ourselves to them out of self-interest—we could be motivated to obey or disobey the law out of self-interest. But if we act as a supreme legislator, as we must, this becomes impossible. If we were to let our interest predominate, we would be subordinating the law (and our legislation of the law) to this interest. As legislators, then, we would not be supreme. The law would not be supreme. Our interest would be. If we are to act as a supreme legislator, then interest must go.<sup>104</sup>

Hegel, we must conclude, thinks this is deceptive. Whether or not the supreme legislator is motivated by self-interest in the sense that Kant has in mind is not the real issue because what the

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<sup>103</sup> *PhS*, 250 and *GW*, IX, 226-27; however, I prefer Baillie's translation, *PhM*, 435-36.

<sup>104</sup> *F*, 50-51 and *KGS*, IV, 432-33.

supreme legislator is very definitely *interested* in is being the *supreme* legislator, the one who issues the moral law. The supreme legislator is as much or more interested in its supremacy as it is in the categorical imperative itself. What consciousness is interested in is its *own* doing. Honest Consciousness is not interested in the fact itself apart from the fact that it came up with the fact itself. Others are the same way. If they seek to assist you, they do so to get their own piece of the action. There is a deception here. They are not simply assisting you, but trying to manifest their own action and trying to take credit for your action. And you behave in the same way toward them.

However, it would be a mistake to think that there is something perverse about Honest Consciousness. Hegel is not trying to suggest that its behavior is anything but the perfectly normal behavior of consciousness in general. If consciousness confronts any sort of truth, work, fact, or object that is other, it has a drive to deny its otherness and claim it as its own. We can find consciousness doing this throughout the *Phenomenology*. The master claims the slave as his own; idealism claims reality as its own; consciousness even claims to have constructed God. Hegel's point here, I believe, is that it is a mistake to think that consciousness can or should be concerned only with objectivity, truth, the fact itself. Consciousness, just as much, and rightfully so, is concerned with its own doing, its involvement, its expression, its construction, its interest. As early as the "Positivity of the Christian Religion," Hegel says that we take an interest in a thing only if we can be active in its behalf.<sup>105</sup> Kantian practical reason neglects this important and real side of consciousness. Practical reason, for Kant, cannot legitimately relate to the moral law out of interest. Practical reason must attend to the fact itself—the moral law as an abstract

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<sup>105</sup> *Positivity of the Christian Religion*, 164 and *GW*, I, 376.

universal. Kantian practical reason is unable to give interest and the desire for recognition a significant place. We cannot act morally without subordinating our interest; we cannot act morally *from* interest. Kantian morality is unable to satisfy this other legitimate side of consciousness. Hegel's point is that *Sittlichkeit* will be able to do so.

And so what we have as long as we remain at the level of individual consciousness is chaos. Each individual both wants credit for their construction, discovery, or work, yet pretends to be concerned only with the fact itself and not their own doing, until others, as they naturally will, begin to point out their role in the work or try to take a role by assisting, at which point the fact itself becomes much less important than the fact that it is your *own* work.

Well, what if Honest Consciousness decides that it does not care about the fact itself; what if it claims that the only thing that interests it is its own action, its own contribution, its own work—and nothing else? Well, this will not succeed either. Our own expression, effort, or work simply becomes meaningless, becomes nothing, unless the fact itself is of some significance—of some *public* significance. If your work is incapable of gaining any recognition, then it will do no good for Honest Consciousness to insist that all it cares about is its own work. If this work, if the fact itself, is insignificant and meaningless, then Honest Consciousness has done no real work. Both sides—your *own* work and the *public* significance of the fact itself—are essential.

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<sup>106</sup> This is not to say that significant work never goes unrecognized. A work that is significant and deserving of recognition can fail to gain that recognition. But from this we cannot conclude that public recognition should be dismissed altogether and that all an Honest Consciousness need be

We cannot, then, explain action simply by intention. To retreat too far into the inner life is not only to try to elude responsibility for consequences, as Pippin puts it,<sup>107</sup> but it is also to strip action of any meaning. Kenneth Westphal makes a point that is worth noting in this context. Practical reason is inseparable from social practice. It is true that actions are carried out by individuals, but such actions are possible and only have meaning in so far as they participate in sociocultural practices. There are two important questions here, Westphal suggests: (1) are individuals the only bearers of psychological states, and (2) can psychological states be understood in individual terms? Individualists answer both questions in the affirmative, and most holists answer both questions in the negative. Hegel, however, answers the first question affirmatively and the second negatively.<sup>108</sup> In other words, it is only individuals who act, have intentions, construct facts, and so forth. Nevertheless, such acts, intentions, and facts cannot be understood apart from sociocultural practices—their meaning can only be understood as interpreted in a sociocultural context.

If that is the case, then as soon as we turn to the self and attempt to understand the individual subject, we will find that it too cannot be understood apart from sociocultural practices. It too can only be understood as interpreted within a sociocultural context. While we do have individual subjects, for Hegel, we will find that we will not be able to hold on to the notion of a

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concerned with is its own work. Its work amounts to nothing unless it deserves recognition.

Recognition is essential here.

<sup>107</sup> Pippin, 206-7.

<sup>108</sup> K.R. Westphal, *Hegel's Epistemological Realism: A Study of the Aim and Method of Hegel's Phenomenology of Spirit* (Dordrecht: Kluwer, 1989), 176.

subject that is radically distinct from other subjects, that can stand above or outside the world, that thus could be the source of a virtue that could guide the way of the world, that could be a supreme legislator, or that could be committed purely to the fact itself. In short, we do not have a Kantian subject, a subject that could alone be the source of a categorical imperative. Instead, we will have to develop a different conception of a subject—one embedded in a context of cultural practices, meanings, objectifications, and recognition.

## VI

In the final two sections of Chapter V, "Reason as Lawgiver" and "Reason as Testing Laws," we take up an analysis of Kant's categorical imperative that is direct and explicit enough to be clear to all readers. Here we have a Kantian consciousness, a supreme lawgiver, that takes itself to be absolute, universal, and authoritative.<sup>109</sup> It would claim to be the true and absolute ethical authority, but Hegel will try to show us that it is not, that this is only possible if we move to *Sittlichkeit*, and that all that Kant can give us is the same old Honest Consciousness who really tries but always fails.<sup>110</sup>

At any rate, for Kant, practical reason claims to know immediately what is right and good and to be able to issue determinate laws accordingly. As Kant puts it in *the Metaphysical Principles of Virtue*,

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<sup>109</sup> *PhS*, 252-53 and *GW*, IX, 228-29.

<sup>110</sup> *PhS*, 259 and *GW*, IX, 234.

An imperative is a practical rule by which an action, in itself contingent, is made necessary.... a rule whose representation makes a subjectively contingent action necessary and therefore represents the subject as one who must be constrained (necessitated) to conform to this rule. The categorical (unconditional) imperative is one that does not command mediately ... but immediately, through the mere representation of this action itself (its form), which is thought through the categorical imperative as objectively necessary ...<sup>111</sup>

Let us see if Kantian practical reason can, as it claims, give us laws that make subjectively contingent actions objective, immediate, unconditional, and necessary. Let us take an example of such a law: "Everyone ought to speak the truth."<sup>112</sup> Well, as Hegel points out, the *condition* will at once have to be admitted: *if* you know the truth. The law, then, would have to be stated: everyone ought to speak the truth in so far as they know it. But,

with this admission, it in fact admits that already, in the very act of saying the commandment, it really violates it. It *said*: everyone ought to speak the truth; but it *meant*: he ought to speak it according to his knowledge and conviction; that is to say, what it said was different from what it meant; and to speak otherwise than one means, means not speaking the truth. The untruth or inapt expression in its improved form now runs: everyone ought to speak the truth according to his knowledge and conviction at the time.

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<sup>111</sup> *MPV*, 21-22 and *KGS*, VI, 222.

<sup>112</sup> *PhS*, 254 and *GW*, IX, 229.



But with this correction, what the proposition wanted to enunciate as universally necessary and intrinsically valid, has really turned round into something completely contingent. For speaking the truth is made contingent on whether I can know it, and can convince myself of it; and the proposition says nothing more than that a confused muddle of truth and falsehood ought to be spoken just as anyone happens to know, mean, and understand it.<sup>113</sup>

We do not have anything unconditional, necessary, or objective here, but merely good old Honest Consciousness still trying its subjective best. We might further change the proposition by adding that the truth *ought* to be known, but then we would contradict our original assumption that practical reason knows the truth immediately. We would be admitting that it does not actually know what is true—it merely ought to know it. This is not unconditional and objective morality; it is merely subjective and intended.

Take the commandment: "Love thy neighbor as thyself."<sup>114</sup> Such love would at least require, Hegel suggests, that we work to remove evil and do good for our neighbor. And that would mean that to love my neighbor intelligently I would have to *know* what is good and bad. Unintelligent love might well do my neighbor harm. We are slipping toward the subjectivity of Honest Consciousness again. At any rate, Hegel argues that the agency most capable of avoiding evil and accomplishing intelligent good for my neighbor would be the just state, in comparison to which what any single individual is likely to accomplish is minimal. Furthermore, the action of

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<sup>113</sup> *PhS*, 254 (italics in text) and *GW*, IX, 230. Also, *MPV*, 90-92 and *KGS*, VI, 429-30.

<sup>114</sup> *PhS*, 255 and *GW*, IX, 230. *MPV*, 60-61, 113-23, 149 and *KGS*, VI, 401-2, 448-58, 480-81.

the state is so pervasive that if I as an individual in trying to benefit my neighbor were to oppose the state in a way that was either intended to be criminal or (like the friends of Honest Consciousness) was simply an attempt to cheat the state of its due credit in order to claim it for myself, such action would most likely be frustrated and rendered useless. While there is room for individual beneficence in single, isolated, contingent situations, generally speaking, the socio-cultural-political world is such a pervasive power that doing good of the sort that Kant envisions, that is, the doing good of an autonomous individual consciousness, certainly cannot realistically be demanded necessarily and unconditionally. Such action is too easily swept aside or rendered meaningless. Whether the act will be a work that benefits the neighbor as intended, or be immediately undone, or twisted and perverted by circumstance into harm, is a matter of chance—certainly when we are dealing with the way of the world, this race of devils that only appears as a nation of angels. It cannot meaningfully be demanded necessarily and unconditionally that we act for the good of others if it will always be contingent whether any act, depending upon whether it accords with the state or not, will be erased or reinforced, distorted or maintained, turned into its opposite or left as it is. It is as likely to be possible as not. We have not moved very far beyond fate to rationally ordered providence—we have chance here, not universality and necessity. If one objects that Kantian morality should not be motivated by concern for such consequences or contexts, the answer must be that it cannot then do good to its neighbor in any morally significant way. In the *Foundations*, Kant argues that:

An action performed from duty does not have its moral worth in the purpose which is to be achieved through it but in the maxim by which it is determined. Its moral value, therefore,

does not depend on the realization of the object of the action but merely on the principle of volition by which the action is done, without any regard to the objects of the faculty of desire.... Wherein, then, can this worth lie if it is not in the will in relation to its hoped-for effect? It can lie nowhere else than in the principle of the will, irrespective of the ends which can be realized by such action.<sup>115</sup>

We are back to good old Honest Consciousness who has at least tried, or, as Hegel puts it, “[i]f this consciousness does not convert its purpose into a reality, it has at least *willed* it, i.e. it makes the purpose *qua* purpose, the mere doing which does nothing ... and can therefore explain and console itself with the fact that all the same something was taken in hand and done.”

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We do not have a consciousness capable of giving us an objective, unconditional, immediate, and necessary law here. Its law “does not express, as an absolute ethical law should, something that is valid in and for itself”; its laws “stop at Ought, they have no actuality ...”<sup>117</sup> Kantian practical reason does not give us laws; it merely issues commandments.

What does it mean to say that we do not have a law, but merely a commandment? In the *Foundations*, Kant claims that we can derive the fourth formulation of the categorical imperative, namely, a kingdom of ends, from the fact that we must consider each individual to be a supreme lawgiver. A kingdom of ends is a union of rational beings in a system of common

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<sup>115</sup> *F*, 16 and *KGS*, IV, 399-400. Also, *MPV*, 119 and *KGS*, VI, 455.

<sup>116</sup> *PhS*, 247 (italics in text) and *GW*, IX, 224.

<sup>117</sup> *PhS*, 256 and *GW*, IX, 231.

laws.<sup>118</sup> In other words, Kant is claiming that individual practical reason gives us all we need from which to derive the state and its laws. From supreme lawgivers, each obeying only laws they give themselves, we can derive the system of laws that make up the state. Hegel denies that individual consciousness can give us the sorts of laws we have or need in a state.

The sorts of laws that Hegel thinks we need are not grounded in the will of particular individuals. Laws must have their own intrinsic being—they must exist in and for themselves. This is not to say that laws are not constructed. Even God is constructed for Hegel. And the fact that laws are constructed by citizens will be essential if we are to be free. But the law is not constructed by *individual* consciousness. It does not have its source in individual Kantian practical reason. It is the work of all, of a community, a culture, a nation. Laws are rooted in and grow out of the customs, traditions, and practices of a people and are tied to their social and public institutions, their public values, their philosophy, religion, and art. Such laws are not subjective and contingent; they are objective, unconditional, and necessary—they are true and absolute.

Let us see if we can understand and make at least a reasonably plausible case for the sorts of laws that Hegel is after. Consider the example of a state and its educational system. In Hegel view, the state would expect that its professors teach the truth. We need not conclude that this will threaten academic freedom. Even if the state were a paradigm of respect for academic freedom, it would still assume, at least, that its professors did not knowingly and systematically teach falsehood. Even further, Hegel would hold, it will also expect these professors to *know* the truth, at the very least, in the sense that it would be fraudulent for the university to hire professors

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<sup>118</sup> *F*, 50-51 and *KGS*, IV, 432-33.

who have not undergone the proper training and engaged in serious study, whose only credentials were that they were enthusiastic about their opinions and sincere in their intentions. So when the university hires professors of engineering or art it does not merely expect them like Honest Consciousness to try their best. It expects them to actually be able to build real bridges and paint real paintings and to teach others how to do so. We hold professors responsible for actually doing these things, not just for trying. So also we expect the university to give its students an education that will (assuming a just society) fit them for life in the state, prepare them for a vocation, and give them the moral and scientific knowledge needed for these purposes. We expect this at least in the sense that were the university systematically to fail to do so we would conclude that it was not functioning properly. The law has a right to require more than that the university try. It is expected to succeed.

What we need and have in culture, Hegel thinks, is far richer and more powerful than mere subjective Kantian oughts. *Sittlichkeit* does not merely tell us that we ought to educate our children or do good to our neighbors, it gives us an understanding of what things like good to our neighbor and proper education actually are and it embeds them in our customs, traditions, practices, and institutions so that we are able to act in the world and actually do act accordingly. It enables us not just to try or to will, but to succeed, and to pass this knowledge and ability on to others. It gives us much more than an ought—it gives us *actuality*.

What we must see is that *Sittlichkeit* is missing in Kant's thought and that we need it to account for our experience. A true law must grow up and be rooted in a community, in its customs, traditions, and practices. It must be a force that morally empowers its citizens. It is not enough (which is to say, for Hegel, it is not *ethically* enough) that it merely oblige them morally,

that it be a mere maxim that can be universalized, that it merely be willed. But that *is* enough to establish its “moral value” for Kant, as he himself says.<sup>119</sup> And so Kantian reason is not a lawgiver. At best it is a test of laws.

## VII

But even as a test of laws, Kant's ethics fail. In taking up a given content in order to test it, to see if it is universalizable, we find, at least in some important cases, that one content will work as well as its opposite. If you ask, for example, whether there should be private property, you will find private property to be perfectly self-consistent—you can universalize it without contradiction. But you can just as well universalize the absence of private property—a community of goods or communism. That involves no contradiction either.<sup>120</sup>

Singer, in his by now classic criticism, claims that Hegel is “almost incredibly simple-minded” here. It seems to me, however, that Singer misses Hegel's point entirely. According to Singer, Hegel should be able to see that,

if everyone stole, whenever and whatever he pleased, there would be no such thing as property and hence the purpose of stealing would be made impossible.... Yet [Hegel] seems utterly confused as to why it would therefore be wrong to steal.... Kant's point ... is a relatively simple one, which is perhaps why the profundities of Hegel are so far from the mark. It could not be willed to be a universal law that everyone could steal whenever he

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<sup>119</sup> *F*, 16 and *KGS*, IV, 399.

<sup>120</sup> *PhS*, 257-58 and *GW*, IX, 233-34. *PR*, 89-90 and *SW*, VII, 193-94.

wished to, for if everyone stole whenever he wished to, or took for his own anything he happened to want, there would be no property and hence nothing to steal—there would be nothing he could call his own. Stealing presupposes that there is such a thing as property—something to be stolen ...<sup>121</sup>

Singer so little understands Hegel's criticism of Kant that the last line of this passage, intended to undermine Hegel, in fact concedes Hegel's point against Kant. Hegel thinks that in formulating a maxim the Kantian *presupposes* a certain form of property as given and that only with this presupposition will the principle of universalization work. Unless we know what sort of property is right in a given culture—and universalization alone will not tell us—we cannot know what would constitute an act of theft and what would not. For example, suppose I enter a store, pocket an article of consumption without putting down any money, and walk off. Was that theft or not? Was it immoral or not? Asking whether the maxim can be universalized will not tell me. If I live in a market economy with private property, the act was theft. If I live in a communist society based upon the principle "to each according to their need," it was not theft. Both private property and communism are equally universalizable. Universalizability will not decide the issue. We must have a cultural world with cultural content given to us. Either private property or communism must be given as right before we can go on to decide what constitutes an act of theft. We need *Sittlichkeit*, that is, settled and given customs, traditions, and practices—we need culture—for morality to be possible.

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<sup>121</sup> M.G. Singer, *Generalization in Ethics* (New York: Knopf, 1961), 251-52.

Singer basically has Hegel's argument backwards. He makes the common but mistaken claim that in Hegel's view the categorical imperative is empty and contentless, "Hegel assumes that the categorical imperative is supposed to be applied in a vacuum ... that Kant's ethics is an 'empty formalism.'" Hegel, in Singer's view, does not see that if "someone proposes to adopt a certain maxim, or to act in a certain way in certain circumstances in order to achieve a certain purpose, then we ... 'already possess a content,' to which the categorical imperative can be applied."<sup>122</sup> This is not what Hegel is saying. Hegel is not denying that the categorical imperative has a content in Singer's sense; Hegel fully accepts that in formulating a maxim we take up a content. He says explicitly in the *Phenomenology* that what we have is a "standard for deciding whether a content is capable of being a law or not," and he goes on to talk about content at least three times in the next page.<sup>123</sup> Moreover, Hegel well knows that adopting a maxim commits the person to an act or an end. After all, as we have seen, one of Hegel's criticisms of the categorical imperative is that it gives us an *ought*— for Hegel it is a *mere* ought rather than an *is*— but nevertheless it *does* give us an ought (it gives us a commandment, though not a law).

The problem here stems, I think, from misinterpreting the following passage from Hegel's *Philosophy of Right*,

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<sup>122</sup> Singer, 252. K. Westphal, "The basic context and structure of Hegel's *Philosophy of Right*," in *The Cambridge Companion to Hegel*, ed. F.C. Beiser (Cambridge: Cambridge University Press, 1993), 252-53.

<sup>123</sup> *PhS*, 256 and *GW*, IX, 232. In *PR*, 90 and *SW*, VII, 194, Hegel speaks of bringing a particular content for acting under consideration.



The Proposition: 'Act as if the maxim of thine action could be laid down as a universal principle', would be admirable if we already had determinate principles of conduct. That is to say, to demand of a principle that it shall be able to serve in addition as a determinant of universal legislation is to presuppose that it already possesses a content. Given the content, then of course the application of the principle would be a simple matter.<sup>124</sup>

Singer takes the implication of this passage to be that we *do not* have a content, that the categorical imperative is contentless. But that is not the point the passage is making at all. The point is that for the categorical imperative to work we must be given a content—in the sense of a determinant principle of conduct. In other words, our culture has to tell us, for example, that private property is *right*. Once we have this, Hegel is saying, then the categorical imperative will have no difficulty in telling us that walking off with the article from the store was theft. Hegel is not claiming that the categorical imperative has no content. He is claiming that it will not work without content. Where does the content come from? It is certainly not generated out of the categorical imperative itself. It is taken up from culture—it is given by culture as right. Private property must be given as right before we can see that what we did in the store was theft. Hegel makes this point very clearly in the *Philosophy of Right*,

The absence of property contains in itself just as little contradiction as the non-existence of this or that nation, family, &c., or the death of the whole human race. But if it is already established on other grounds and presupposed that property and human life are to exist and

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<sup>124</sup> *PR*, 254 and *SW*, VII, 195.

be respected, then indeed it is a contradiction to commit theft or murder; a contradiction must be a contradiction of something, i.e. of some content presupposed from the start as a fixed principle.<sup>125</sup>

The argument against Kant, then, is not that the categorical imperative is contentless. The argument is that the categorical imperative *presupposes* its content; it takes up its content uncritically. The Kantian formulating a maxim concerning theft assumes that private property is given. As Hegel puts it in the *Phenomenology*, “Laws are ... *tested*; and for the consciousness which tests them they are *already* given. It takes up their *content* simply as it is, without concerning itself ... with the particularity and contingency inherent in its reality ... its attitude towards it is just as uncomplicated as is its being a criterion for testing it.”<sup>126</sup>

Perhaps this point is made most clearly in the *Natural Law* essay, though Hegel overstates his point in this early essay. He says,

[i]f this formalism is to be able to promulgate a law, some matter, something specific, must be posited to constitute the content of the law. And the form given to this specific matter is unity or universality. “That a maxim of thy will shall count at the same time as a principle of universal legislation”—this basic law of pure practical reason expresses the fact that

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<sup>125</sup> *PR*, 90 and *SW*, VII, 194.

<sup>126</sup> *PhS*, 257 (italics in text) and *GW*, IX, 232-33. Hoy makes an argument similar to mine; see D.C. Hoy, “Hegel’s Critique of Kantian Morality,” *History of Philosophy Quarterly*, 6 (1989), 216 ff.

something specific, constituting the content of the maxim of the particular will, shall be posited as concept, as universal. But every specific matter is capable of being clothed with the form of the concept ... there is nothing whatever which cannot in this way be made into a moral law.<sup>127</sup>

While Hegel is overstating his case in holding that *anything* can be made into a moral law, nevertheless, his basic point is that different cultures can and have established very different things as moral laws—very different forms of property, for example. And it is obvious that quite consistent social organizations can be built around such different laws. The principle of universalization is not going to show us that all but one of these forms of property and social organization are contradictory; there will at least be many different forms of property and social organization that it will not show to be contradictory. The categorical imperative, then, will not tell us which of these forms of property is right. Only after we are given one of these forms of property as right can the categorical imperative begin to tell us what would be an act of theft and what would not.

Hegel is not out to junk the categorical imperative. He is simply claiming that a certain content must be given for it to work, a content which in his view Kant naively presupposes. This content is given by culture and thus morality needs a theory of culture. Hegel is trying to drive us toward *Sittlichkeit*. Furthermore, Hegel is not out to junk universalizability. In Hegel's view, universalizability is necessary for morality; it is just that it does not *amount* to morality. Acting

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<sup>127</sup> *Natural Law*, trans. T.M. Knox (Philadelphia: University of Pennsylvania Press, 1975), 76-77 and, for the German, *GW*, IV, 436.

on a categorical imperative—in so far as that means acting merely on what reason tells us is universalizable—is not enough to be moral. As Hegel puts it, something is not right because it is non-contradictory; "it is right because it is what is right."<sup>128</sup>

Let us see if we can even better explain the sort of moral law that Hegel is after. For Hegel, we can fail in two ways. If we have a real law, the sort that Hegel wants, an absolute, not a mere commandment or an ought, then this law cannot be issued by a single person or an individual consciousness. That would turn the law into something tyrannical and it would turn obedience to such a law into something slavish. On the other hand, while Kantian testing of laws certainly gives us freedom from such laws, which are rejected as alien and heteronomous, nevertheless it leaves us with individual consciousness and the loss of an absolute grounding.<sup>129</sup> Hegel wants to avoid both of these extremes.

What Hegel wants in a law is that it be valid in and for itself. It must not be grounded in the will of particular individuals. In obeying such laws, self-consciousness must not in any way be subordinating itself to a master whose commands are alien and arbitrary. Self-consciousness must find these laws to be "the thoughts of its own absolute consciousness, thoughts which are immediately its *own*."<sup>130</sup> We construct these laws; we issue them; but as participating in a cultural consciousness, the consciousness of a people or nation, not as individual consciousnesses. These laws are not arbitrary, tyrannical, or alien. They are not heteronomous.

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<sup>128</sup> *PhS*, 262 and *GW*, IX, 236.

<sup>129</sup> *PhS*, 260 and *GW*, IX, 234-35.

<sup>130</sup> *PhS*, 261 (*italics in text*) and *GW*, IX, 235.

They are my *own* laws. I am free in obeying them. But I also recognize them as universal, objective, absolute, the will of all, the will of my people.

Self-consciousness does not even *believe* in its laws. Belief in something suggests that the believer is an individual consciousness and that what it believes in is alien to it. For Hegel we should be immediately one with our laws.<sup>131</sup> It is not enough to merely believe in them. Laws must be so rooted in the customs and practices of my culture that I simply know them. They are facts. They are true. They are absolute. Is this really so strange? I suggest that we do not merely *believe* that murder, for example, is wrong. We certainly do not need, *in order to* know that it is wrong, to engage in a subjective process of analysis, a deduction, like asking whether murder can be universalized without contradiction.<sup>132</sup> To suggest that we must is to miss something fundamental about morality. It is to subjectivize something that is absolute. Hegel's concept of *Sittlichkeit* wants to avoid heteronomy and give us freedom, but without losing the absolute.

We must move to culture, where ethical content has an objective being of its own, where it is not just subjective rationality that decides what is moral as for Kant. Things are not moral simply because my rationality finds them to be moral. They are objectively moral—moral in-themselves. Yet this objective moral content is not something other, alien to consciousness, heteronomous, as Kant would think. It is the construction of consciousness. Think of the

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<sup>131</sup> Ibid.

<sup>132</sup> Of course, to decide whether a particular act is an act of murder or whether it is first or second degree murder might require a great deal of analysis and deduction. That murder itself is wrong, however, does not and should not.

Athenian assembly creating its own laws—laws which grow out of and are reinforced by custom and tradition, the myths and the gods, and thus are objective, absolute, ethical in-themselves for the people they form. Only *Sittlichkeit* is capable of bringing all of the elements of the ethical together: (1) subjective passion, interest, engagement, involvement; (2) all located in a cultural context in which we are at home, which we find to be our *own*, all constructed by the citizens themselves, where we are thus free; which (3) at the same time grows out of and is reinforced by custom and tradition, public institutions, art, religion, and philosophy, the objective and absolute values, ends, and purposes of a nation; and (4) within this context the citizens reflect rationally and establish universal laws. In such a context, citizens know and accomplish—they live in and are a part of—the ethical. Ethical life exists; it empowers its citizens; it pervades and is actually played out in their lives and practices. It is not a mere ought.

To *fully* justify Hegel's ethical views would require that we say much more about *Sittlichkeit*, but that is a task for another paper. Our task here has been to show that Hegel's critique of Kantian ethics is much more powerful and thorough than has been recognized by those who fail to see that Hegel criticizes Kant's ethics throughout a large part of Chapter V of the *Phenomenology*, not just in the last two sections. Defenders of Kant often want to claim that Hegel has not understood Kant or that Hegel attacks a crudely understood Kant. I hope I have shown that Hegel understands Kant in a rather sophisticated way, thinks Kant is wrong, and does a reasonable job of arguing against Kant. Moreover, it seems to me that many Kantians can be accused of misunderstanding Hegel, and once they begin to understand him, they will find arguments against Kant that, whether they can finally be answered or not, certainly cannot simply be dismissed as mere misunderstandings of Kant.

## Hegel's Critique of Kantian Practical Reason

## Hegel's Critique of Kantian Practical Reason